

*Article 13. Form Based Districts***4.1300 Low Intensity Mixed-Use ("MU-1") District****A. Purpose and Intent**

1. **Purpose.** It is the purpose and intent of the Low Intensity Mixed-Use ("MU-1") District to provide areas in which a variety of housing types exist among neighborhood-serving commercial and institutional uses.

2. **Intent Statements**

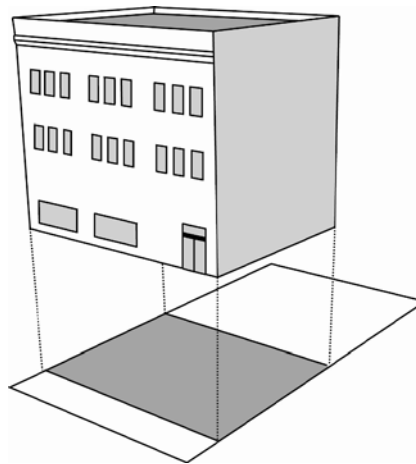
- a. **General Development Principles**

1. Promote a pedestrian-oriented urban form. In contrast to conventional zoning standards that place a primary emphasis on the regulation of land uses, mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding areas historic urban character. The focus on form promotes buildings that conform to tested urban design principles.
 2. Require excellence in the design of the public realm and of buildings that front public spaces. The most successful and memorable urban environments are those in which walking down the street is appealing. Streets, plazas, parks, and other public spaces should be comfortable and inviting, and buildings fronting those spaces should be active and visually interesting at the pedestrian level.
 3. Encourage creativity, architectural diversity, and exceptional design. Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility. Standards and guidelines, as well as the development review process, are intended to support creativity and exceptional design while discouraging uniformity.
 4. Promote sustainable development that minimizes negative impacts on natural resources. Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low density development in peripheral areas. In accordance with sustainable development principles, the mixed-use buildings and public spaces should be designed to minimize negative impacts on air and water quality and promote innovation in environmental design.

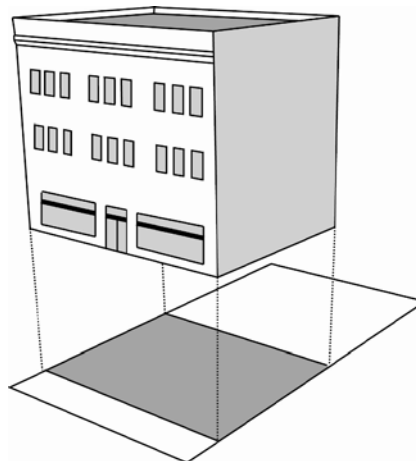
- b. **Building Types Permitted**

The following building intent statements and illustrations have been provided to demonstrate the recommended building forms in the Low Intensity Mixed-Use ("MU-1") District. All intent statements are addresses through development standards set out in Section 4.1300 C through G.

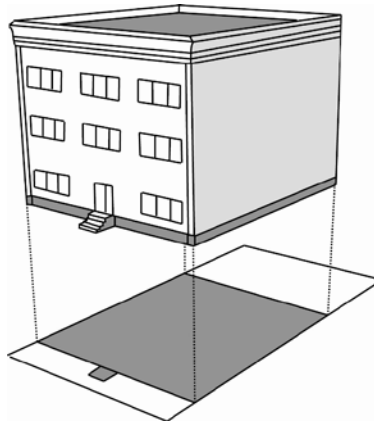
1. **General Commercial:** A development type with nonresidential uses. Ground-story spaces are flexible enough to accommodate a variety of nonresidential uses. Upper stories are used for offices and other types of compatible nonresidential uses. The front of the building is placed on, or very close to, the property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary entrances are prominent and street-facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground-story space.



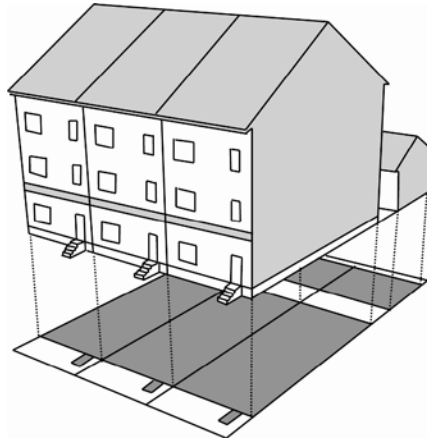
2. **Mixed-Use Shopfront:** A development type with ground-story retail and upper-story residential or office uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface is permitted between the building and the street. Primary entrances are prominent and street-facing. Large storefront windows are provided to encourage interaction between the pedestrian and ground-story space.



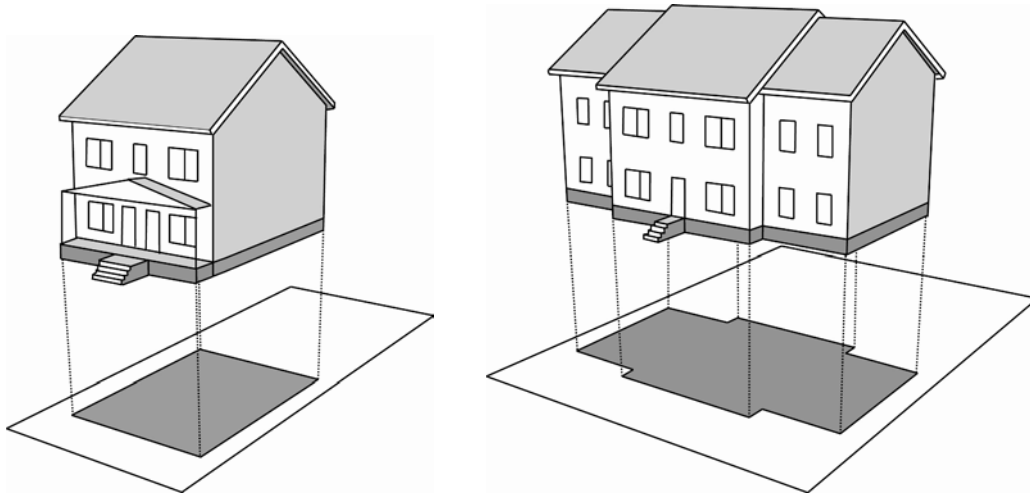
3. **Apartment/Condominiums:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building often shares a common entrance. Primary entrances are prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for an apartment/condominium building is allowed on the side or rear of the building, but the preferred method is at the rear of the building.



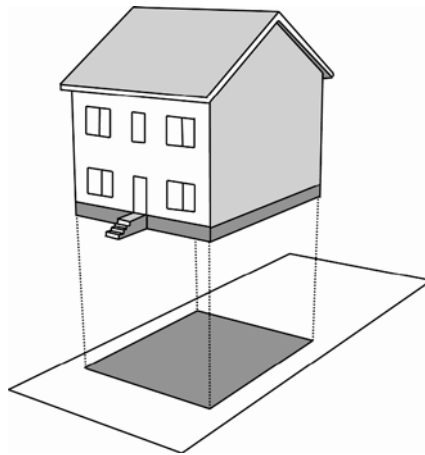
4. **Townhouse:** A building with three or more attached dwelling units consolidated into a single structure. The front of the building is faced on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. A townhouse unit is more than one story in height; however, units should not be vertically mixed. Parking access via a driveway or rear alley is required. An elevated ground floor for residential uses is recommended to ensure privacy.



5. **Urban Manor House:** A development/building with two to five attached dwelling units consolidated in a single structure. A manor house is located on a single lot and contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building has the appearance of a conventional single-family house with a single primary entrance except that a manor house with two dwelling units (duplex) may have one primary entrance for each unit provided it meets the requirements of 4.1300 D.8.F.iv. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a manor house is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



- 6. Single-Family House:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a single-family home is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



B. Uses

In the Low Intensity Mixed-Use ("MU-1") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued, except in accordance with the use table in Chapter 4, Article 12, and the supplemental standards of Chapter 5.

In the Low Intensity Mixed-Use ("MU-1") District, residential, commercial and institutional uses may occupy the same building and lot. All projects must comply with the mix of use requirements described in Section 4.1300.H.1.

C. Property Development Standards

In the Low Intensity Mixed-Use ("MU-1") District, the dimension of yards, the placement of the building, the minimum and maximum height of buildings, the minimum and maximum residential density, and the enhanced landscaping shall be as follows:

- 1. General yard development standards:** Development shall be exempt from Chapter 6, Article 1, Sections 6.101B, 6.101C, 6.101E, and 6.101G.
- 2. Required street frontage:** The intent of requiring building street frontage is to encourage a more prominent and continuous street wall to promote a multi-modal, pedestrian friendly environment while reducing the visual dominance of large surface parking lots.
 - a. Primary Street: building facades shall be located within the area between the property line and the maximum setback for a minimum of 50 percent of the primary street frontage of the parcel.

- b. Side Street: applies only to corner lots; building facades shall be located within the area between the property line and the maximum setback for a minimum of 30 percent of the side street frontage of the parcel.
- c. Required street frontage shall apply only to the ground floor of the building.
- d. Required street frontage alternatives: These alternatives may count towards a portion of the required street frontage for the building, when meeting the following standards;
 - i. Arcades: 100%
 - ii. Residential garden court: 40%
 - iii. Outdoor seating: 40%
 - iv. Plaza: 40%

3. Front yard: 20 feet maximum setback, with the following provisions:

- a. Campus developments: Interior buildings constructed as part of a campus development may be set back from the property line more than 20 feet if at least 50 percent of the public street frontage on each block face within the development contains buildings within the maximum setback of 20 feet. Interior buildings set back farther than 20 feet may not be constructed unless and until this 50 percent requirement has been satisfied.
- b. Buildings may exceed the maximum 20-foot setback if angled, perpendicular, or parallel parking on private property meets the conditions of Section 4.1300.D.4.e. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line, and the setback shall be no greater than 20 feet.
- c. Buildings on corner lots are required to meet the front yard maximum setback on primary and side streets.

Note: A campus development is defined as a unified group of buildings and/or facilities located on a continuous parcel(s) and operated as a place of worship, school, or hospital.

4. Rear yard: 5 feet minimum setback.

5. Side yard: Setbacks are required when an abutting property with an existing building has windows facing to the side. Then, any new development or addition shall provide at least 10 feet of separation between the existing and new building.

Note: Additional setback conditions are included in Section 4.1300.G Other Development Standards.

6. Minimum Height: 18 feet

Note: Development in the Low Intensity Mixed-Use ("MU-1") District is exempt from Section 6.100. Minimum building height for all uses shall be measured from the top of the finished slab to top of the highest wall façade. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.

7. Maximum Height:

- a. 45 feet, or 3 stories, whichever is less; or
- b. 60 feet or 5 stories, whichever is less, if:
 - i. Residential uses constitute 20 percent or more of a building's gross floor area, and
 - ii. Office, eating and entertainment, and/or retail sales and service use constitute 10 percent or more of the building's gross floor area.

Note: Development in the Low Intensity Mixed-Use ("MU-1") District is exempt from Section 6.100. Building height for all uses shall be measured from the top of the finished slab at grade level to the top of the highest wall top plate. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.

Stealth Telecommunication Towers are permitted to a height of 75 feet. The Urban Design Commission must approve the design of all Stealth Telecommunication Towers.

Telecommunication Towers are permitted to a height of 60 feet as a Special Exception approved by the Board of Adjustment.

8. Minimum residential units per acre: None, except when a residential mixed use project is located within 1,320 feet of an entrance to an existing or approved passenger rail station or stop: 20

9. Maximum residential units per acre:

40; or 70 if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.

D. Off-Street Parking and Loading

1. Commercial and Mixed-Use Parking Table:

Location	Requirement as a percentage of parking requirement listed in Section 6.201B	
	Minimum	Maximum
Project not located within 250 feet of One or Two Family zoned property	None	100 percent
Project located within 250 feet of One or Two Family zoned property	75 percent	100 percent
and within 1,000 feet of an entrance to an existing or approved passenger rail station or stop	50 percent	100 percent

2. Residential Parking Table:

Building Type/Use	Requirement
Single-Family	2 parking spaces located behind the front of the building line per dwelling unit.
Townhouse	2 parking spaces per dwelling unit are required at the rear of the primary structure and accessed via a driveway or rear alley.
Manor house (duplex)	2 spaces per dwelling unit plus 1 space per bedroom over three (3) bedrooms per dwelling unit all located behind the front building line
Manor house (apartment) and Apartment/Condominium	0.75 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage)
On-street parking along the lot frontage may be applied toward the minimum parking requirements, but shall not reduce the applicable maximum parking limitations.	If the development is within 1,320 feet of a rail transit station 0.5 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage) *All partial spaces are rounded up.

3. Bicycle Parking: See Section 6.204**4. Other Off-Street Parking and Loading Standards**

- The required off-street parking for any use may be located off-site, on property within 500 feet of the subject site.
- Adjacent on-street parking may be applied toward the minimum parking requirements, but shall not reduce the pertinent maximum parking limitations.
- For mixed-use buildings and projects the total parking requirement shall be the sum of the individual requirements for all uses. A joint use parking agreement, if executed according to the standards set forth in section d below, would allow a reduction in the total requirement for the mixed-use building or project.
- Joint use parking facilities may be used to meet minimum parking requirements. The total number of spaces shall not exceed the sum of the maximum spaces allowed for all individual uses sharing the facility. Joint use of required parking spaces may occur where two or more uses on the same site or on separate sites are able to share the same parking spaces because their parking demands occur at

different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing as part of the building permit application or site plan review:

- i. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - ii. The location and number of parking spaces that are being shared;
 - iii. An analysis showing that the peak parking demands for the different uses occur at different times, and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking times; and,
 - iv. A legal instrument such as an easement or deed restriction that guarantees access to the joint parking for all uses.
- e. Surface parking shall not be permitted between a building front and the street, except that angled, perpendicular, or parallel parking that is designed to function as on-street parking shall be permitted if it meets the following three conditions:
- i. The City's Traffic Engineer determines that the parking does not adversely affect public safety or circulation and satisfies the conditions described in Section 22-175d of the City Code,
 - ii. Each parking space is located adjacent to and is directly accessible from a public street or publically accessible private street, and
 - iii. Surface parking permitted between a building front and the street (on-street parking) and the required pedestrian walkway shall be either dedicated as public right-of-way or be included in a public access easement recorded in the real property records of the county. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line and the setback shall be no greater than 20 feet.
- f. Uses located in historically significant buildings shall be exempt from off-street parking requirements. For the purposes of this exemption, historically significant buildings shall include those determined by the Historic Preservation Officer to be eligible, based on the applicable criteria, for:
- i. Listing in the National Register of Historic Places; or
 - ii. Local designation as either Historic and Cultural Landmark ("HC") or Highly Significant Endangered ("HSE").
- These requirements supersede the parking requirements of Section 6.201B. All other requirements of Chapter 6, Article 2 apply.
- g. These requirements supersede the parking requirements of section 6.201B. All other requirements of Chapter 6, Article 2 apply.

E. Landscaping and Buffers. The requirements of Chapter 6, Article 3 apply, with the following provisions.

1. Bufferyard and Supplemental Building Setback.

- a. For the purposes of this section, the Low Intensity Mixed-Use ("MU-1") District shall be considered a nonresidential district.
- b. A bufferyard and supplemental building setback are not required between the boundary of a one- or two-family development within the Low Intensity Mixed-Use ("MU-1") District and an adjacent one- or two-family district.
- c. All uses, other than one- or two-family adjacent to one- and two-family districts, shall conform to the supplemental building setback and bufferyard width standards required for the Neighborhood Commercial ("E") District, as described in Section 6.300.C. Area Requirements. In addition, a transitional height plane of 45 degrees shall apply to portions of a building above 45 feet or 3 stories, whichever is less; starting from the property line of the one- or two-family district. Any portion of a building above 45 feet or 3 stories, whichever is less, shall be set back so that the building does not encroach the transitional height plane; i.e., the portion of a building above 45 feet or 3 stories must be set back an additional foot for each additional foot in height, with the plane starting from the property line of the one- or two-family district. This standard is illustrated in Figure 4.1 below. These supplemental building setback and transitional height plane requirements shall not apply to buildings adjacent to one- or two-family districts that serve as public open space, such as parks and drainage ways.

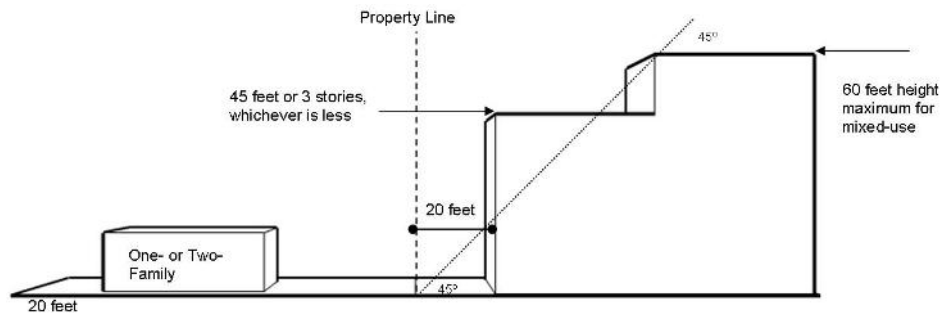


Figure 4.1 . MU-1 Transitional Height Plane

- 2. Enhanced Landscaping Point System Requirements.** Enhanced landscaping must earn a minimum of 30 points (20 points in single-family house and urban manor houses with (2) units) that are awarded for providing and maintaining specific landscaping and design features. The points are accumulated as follows:

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
Plaza	5% of net land area. Plaza shall be continuous w/ minimum area not less than 1,000 sq. ft. <i>If 5% of net land area is greater than 2,000 square feet, multiple plazas are permitted.</i>	15
Playground	5% of net land area w/ minimum area not less than 1,000 sq. ft.	15
Community garden	1 pt for every 250 sq. ft. w/ minimum area not less than 1,250 sq. ft.	5-15
Arcades, structural awnings, galleries, balconies or other approved pedestrian shelter	50% of façade facing primary street or 25 linear ft., whichever is greater; 4 ft. minimum depth.	10
Single family front porch	50% of façade facing primary street	10
Enhanced streetscaping	Each 50 ft. segment of street frontage is required to have 2 streetscaping items. Items include but are not limited to benches, trash receptacles, bike racks, and planters using materials appropriate for the adjacent street and approved by the Transportation and Public Works Department.	10
Pedestrian-scaled lighting	1 light post for every 60 ft. of street frontage; style approved by the Transportation and Public Works Department and consistent with other pedestrian lights on the same block.	10
Programmed recreation area	3% of net land area. Programmed recreation areas include but are not limited to chess parks, bocce ball courts, and exercise/yoga facilities.	10
Public art installation	As approved by the Planning and Development Director or designee. Public art installations include but are not limited to pieces of sculpture, murals, and water features planned and executed with the specific intention of being sited or staged in the physical public domain, outside and accessible to all. Materials used are durable and resistant to graffiti and weather.	10
Street trees	Required spacing:	10

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
	<ul style="list-style-type: none"> Small/Medium Canopy 25 – 30 ft. Large Canopy 35 – 40 ft. 	
Window awnings, shallow door canopies, or other façade features that are not intended to provide pedestrian shelter (less than 4 ft in depth)	25% of façade facing primary street or 15 linear ft, whichever is greater. Multiple features (i.e. awnings) may add up to the required amount.	5
Programmed sitting area/public outdoor dining area	Minimum 15 seats	5
Proximity to a public park	Within 500 ft	5
Sustainable landscaping	Xeriscaping, on-site stormwater management, rain gardens, bio-swales, etc.	5
Rooftop terrace	Minimum 200 sq. ft.	5
Paved walkway enhancement	1 pt for every additional foot of sidewalk width over the City standard (up to a 15 ft wide sidewalk total)	1-11

- a. Points shall be awarded only one for each feature category, per project.
- b. Submittal of Landscape Plan. The location and description of decorative paving, sidewalk furniture or other decorative elements, if any, shall be indicated on the landscape plan.
- c. Landscape Area Required. Section 6.301H "Landscape Area Required" does not apply to developments in the MU-1 district; except
 - i. All landscaped areas shall be located outside the perimeter of the footprint of a building or structure; protected by wheel stops, curbs or other physical barriers where adjacent to vehicle use areas; and be covered with grass, organic mulch or low maintenance groundcover. (Section 6.301.H.1.b.)
 - ii. Landscaped bioretention areas are encouraged for natural drainage channels to reduce runoff and increase infiltration of water into the soil. (Section 6.301.H.2.b.)
 - iii. When there is a front yard setback of at least five feet, front yard landscaping is required for areas outside the ground level patios, parkways and pedestrian walkways. Front yard landscaping must adhere to the shrub and native plants as listed in Table 6.8, Table A of Section 6.301.H. as well as other applicable regulations described or referenced within the MU-1 regulations.
- d. Irrigation. An irrigation system shall be installed to provide total water coverage to all plant materials installed pursuant to Section 6.301.I "Irrigation".
- e. Miscellaneous Requirements. In addition to required trees and shrubs, all of the required landscape area must be covered with grass, organic mulch, live groundcover, decorative paving, sidewalk furniture or other decorative elements.

3. Landscaping in Parking and Driveway Areas.

- a. Landscape islands, linear landing strips, bio-swales, or rain gardens shall be required in parking lots with 12 or more parking spaces. All landscape islands and strips shall have at least one tree.
- b. Every parking space is required to be not more than 60 feet from a medium or large canopy tree planted within a median, strip or island measured from the trunk at planting.
- c. Required size of landscape islands and linear landscaping strips containing trees:
 - i. Within parking lots with non-porous surfaces: 130 square feet; 8 feet minimum width
 - ii. Planted in Structural Soil: 64 square feet; 8 feet minimum width. The use of an approved structural soil shall be limited to landscape islands and adjacent walkways and parking areas necessary for proper tree growth. Structural soils shall not be used for fire lanes in parking lots.
 - iii. Within parking lots with approved porous surfaces for parking areas excluding fire lanes: 16 square feet. Tree trunks should be protected by wheel stops or other physical barriers excluding curbs.
 - iv. Linear landscaping strips are encouraged in lieu of landscaping islands where possible.

- d. Parking lots shall be screened from public right-of-way with landscaping, berms, fences, or walls 36 to 42 inches in height.
- e. Driveways that are located adjacent and parallel to a public street shall be screened from the public right-of-way with landscaping, berms, fences, or walls 36 to 42 inches in height.

F. Façade Design Standards for New Construction. Projects that clearly conform to all façade design standards may be approved administratively by the Planning & Development Director or designee. A waiver from the faced design standards may be granted by the Urban Design Commission (UDC) in accordance with the applicable development principles and standards.

- 1. Required Drawings** – To illustrate compliance with the following standards, elevation drawings shall be submitted to the Planning & Development Department for those building facades that are oriented to:
 - a. public streets,
 - b. private streets and walkways that are publicly accessible through a public use easement, or
 - c. publicly accessible open space.
- 2. Façade Variation**
 - a. **Scaling Elements:** Each new building façade oriented to a publicly accessible street or open space shall at a minimum incorporate three or more of the following four scaling elements for building façades greater than 50 ft. in width, and at least two of the following elements for building facades less than 50 ft. in width:
 - i. Expression of building structural elements such as:
 - a.) Floors (banding, belt courses, etc. not less than one inch deep and four inches wide),
 - b.) Columns (pilasters, piers, quoins, etc. not less than four inches deep and six inches wide), or
 - c.) Foundation (water tables, rustication);
 - ii. Variation in wall plane (not less than four inches) through the use of projecting and recessed elements. Such elements could include patterns of door and window openings (and the use of sills, mullions, and other scale providing window elements), and/or more pronounced architectural features, such as porches, alcoves, and roof dormers;
 - iii. Changes in material or material pattern. Each change of material shall involve a minimum one inch variation in wall plane; and
 - iv. Noticeable changes in color or shade.
 - b. New building facades oriented to a publicly accessible street or open space shall include differentiation between the first and second level and the upper levels with a cornice, canopy, balcony, arcade, or other architectural feature.
 - c. If a project consists of more than one block face, each sequential block of new construction shall contain a different building façade to encourage architectural variety within large projects, using the required architectural elements listed in Section a.i. above and/or other architectural features.
 - d. New multifamily residential building facades oriented to a publicly accessible street or open space shall include at least two variations in wall plane per 100 linear feet of street frontage. Variations shall be not less than three feet in depth or projection and not less than two stories in height for multi-story building.
- 3. Fenestration.** New single use commercial and mixed-use building facades fronting on publicly accessible streets or open space shall meet the following requirements:

Fenestration Requirement		
Project Type	Primary Street	Side Street
Mixed-Use		
Ground Story from 2 feet to 12 feet above grade	60 percent	40 percent
Upper Stories	25 percent	25 percent
Commercial		
Ground Story from 2 feet to 12 feet above grade	60 percent	40 percent
Upper Stories	25 percent	25 percent
Residential		
	None	None

- a. Clear glazing must have a visible transmittance rating of 0.5 or greater to count towards the fenestration requirement.

- b. Fenestration alternatives. The following alternatives may count towards meeting the fenestration requirement and can be used in singular or in combination. If used in combination, they may count no more than 70 percent of the fenestration requirement.

Fenestration Alternatives	
Alternative	Percent towards requirement
Windows at the ground story but outside the 2-12 feet zone	40 percent
Wall mounted or recessed display cases at least 4 feet high	40 percent
Walk-up automated teller machines, video rental or similar kiosk	40 percent
Green screen system, planter walls, or similar vegetation	40 percent
Translucent, fritted, patterned, or color glazing	40 percent
Outdoor dining/seating located between the building and street	60 percent

4. **Building Materials.** Not less than 70 percent of all new building facades (not including door and window areas) facing publicly accessible streets or open space shall be constructed of the following masonry materials: stone, brick, terra cotta, patterned pre-cast concrete, cement plaster stucco, cement board siding, cast stone or prefabricated brick panels.

5. **Building Entries**

- Building entrances shall incorporate arcades, roofs, porches, alcoves or awnings that protect pedestrians from the sun and rain.
- Primary entrances shall be provided at intervals not to exceed 125 linear feet of street-oriented residential building frontage.
- Townhouses and other similar street level dwelling units within multi-unit structures shall have individual street-oriented entries for each unit.
- Manor Houses shall have a single primary entrance provided however, that a Manor House with two dwelling units (duplex) may have one primary entrance for each unit. Each primary entrance must be provided under a shared porch or one of the entrances must be accessed from a side façade of the structure.

6. **Commercial and Mixed-Use Roof Design.** Roof slope shall not be greater than 1:12 on all single-story buildings. Sloped roof elements, including but not limited to mansard roofs, half-false roofs and towers are allowed.

7. **Parking Structure Façade Standards**

- Buildings shall not have exposed structural parking at the ground floor level.
- A parking structure façade that faces a public street shall be designed to incorporate contextual architectural elements that complement adjacent buildings or buildings in the area.
- Parking structure openings shall not exceed 50 percent of the total ground floor façade

- G. **Other Development Standards.** Development in the Low Intensity Mixed-Use ("MU-1") District shall be subject to the pertinent development standards in Chapter 6, and the following provisions:

1. **Signs.** See Chapter 6, Article 4 for requirements and the following provisions:

- In addition to signs allowed in Chapter 6, Article 4, one or more attached project identifier or wayfinding signs may be erected on each façade of the occupied space. The signs may have a total area of 10% of the area of the façade to which the signs are attached, with a maximum aggregate area of 500 square feet per façade. Doors and windows shall be included in the calculation of the façade area. The façade area shall be calculated by multiplying the width times the height, with a maximum calculated height of 15 feet. For structures exceeding 15 feet in height, allowable sign square footage shall be calculated as .75 square feet per linear of building façade.

2. **Residential Design Standards.** Multifamily developments are exempt from the requirements of Section 6.506 "Unified Residential Development".

3. **Outdoor Storage or Display.** Outdoor storage or display requirements for the Neighborhood Commercial ("E") District shall apply to the Low Intensity Mixed-Use ("MU-1") District.

4. **Entrances.** In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principle building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a public parking lot. Secondary entrances from parking lots are permitted. Interior buildings constructed as part of a campus development are exempt from these requirements.

5. **Fences and Gates.** In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private streets or walkways that are publicly accessible through a public use easement, or along publicly accessible open space shall not extend beyond building facades; i.e., these fences shall not be located in the area between building facades and the property line. Fences not exceeding 4 feet in height, however, may extend beyond the building façade of attached or detached single family house or townhouse developments in mixed-use zoning districts (see '5.305 Fences' B.2. for fence development standards).
6. **Development Standards Applicable to Privately Owned streets and Drives with Public Access Easements.** Private streets and drives with public access easements shall be considered public streets or rights-of-way for the purposes of review for compliance with setbacks, parking, screening, façade variations, fenestration, and other MU-1 design requirement normally based on streets.

H. Administrative Review Requirements

1. **Conceptual Land Use Plan.** Developers of projects equal to or larger than three acres in size shall submit a conceptual land use plan for approval by the Planning and Development Director. The conceptual land use plan must be approved before a building permit application is accepted by the Planning and Development Department. The Planning and Development Director may require a conceptual land use plan for a project smaller than three acres if the project is part of a development equal to or larger than three acres in size.
 - a. Generally
 1. The conceptual land use plan shall illustrate the proposed location of land uses on the site, using the following land use categories:
 - i. All residential,
 - ii. Commercial,
 - iii. Institutional,
 - iv. Mixed-use buildings (a mix of residential and non-residential within the same building, meeting the percentage requirements defined in subsection (c)(7)b, above; or
 - v. Public Park.
 2. Parking facilities and private open spaces shall be classified the same as the primary land use they serve.
 - b. Project Test - The conceptual land use plan shall show that the proposed project includes uses within at least two of the land use categories, and that no land use category other than mixed-use buildings occupies greater than 70 percent of the total land area. The land use area percentages shall be calculated using property information obtained from the applicable tax appraisal district. If a development does not comply with this test, then the vicinity test described below shall apply.
 - c. Vicinity Test - Developments in which a single land use other than mixed-use buildings exceeds 70 percent of the site's total land area are permitted if:
 - i. The Planning and Development Director determines that the following conditions are satisfied:
 - a) The proposed land use at any location within the proposed development site must be within a walking distance of 1,000 feet of a different land use, as measured by the shortest pedestrian route, and
 - b) The percentage of any single land use category other than mixed-use buildings within a 1,000-foot radius of any location within the proposed development site shall not be greater than 70 percent of the land area within the radius. The proposed development shall be included in the calculation of this percentage. Or
 - ii. The Planning and Development Director determines that the developer has demonstrated that unique site conditions (e.g. adjacency to natural features, highways, freight yards, etc.) make compliance with the conditions of section i. above impractical in certain areas of the development site.
2. **Conceptual Site Plan.** In order to facilitate compliance with the mixed-use zoning standards, developers shall submit a conceptual site plan to the Planning and Development Department for administrative review prior to submittal of permit applications for new construction projects. The site plan shall show the anticipated location of proposed streets, sidewalks and walkways, building footprints, parking areas, landscaped areas and features, and open space.
(Ord. No. 14556, Eff. 03/20/01; 15283, 10/08/02; 15285, 10/08/02; 15927, 03/23/04; 15978, 05/13/04; 16330, 03/08/05; 17024, 06/20/06; 17522, 04/24/07; 19587, 03/08/11; 20159, 05/15/12, 21782, 07/26/15)

4.1301 Low Intensity Greenfield Mixed-Use ("MU-1G") District

A. Purpose and Intent

1. **Purpose.** The purpose of the MU-1G zoning classification is to promote pedestrian-oriented, mixed-use development in undeveloped areas designated in the Comprehensive Plan as future mixed-use growth centers. The MU-1G regulations are intended to encourage the development of neighborhood-scale activity centers in which a variety of housing types may exist among neighborhood-serving commercial and institutional uses.

Minimum Development Site Land Area: MU-1G shall only be used for large-scale development sites of at least 100 acres. These development sites of at least 100 acres may include a combination of contiguous MU districts (i.e. MU-1, MU-1G, MU-2, MU-2G, PD/MU). Public rights of way may be included in the calculation of a site's size.

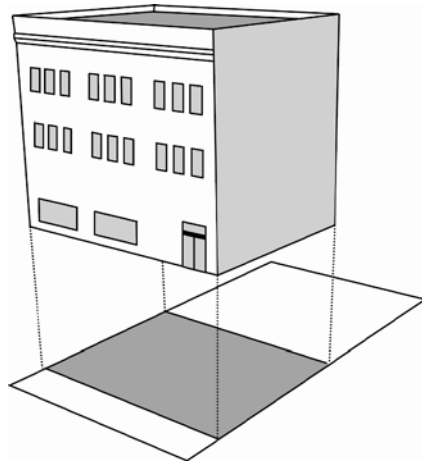
2. Intent Statements

a. General Development Principles

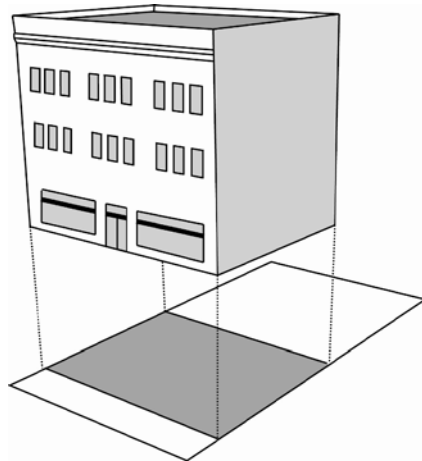
1. Promote a pedestrian-oriented urban form. In contrast to conventional zoning standards that place a primary emphasis on the regulation of land uses, mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding area's historic urban character. The focus on form promotes buildings that conform to tested urban design principles.
2. **Require excellence in the design of the public realm and of buildings that front public spaces.** The most successful and memorable urban environments are those in which walking down the street is appealing. Streets, plazas, parks, and other public spaces should be comfortable and inviting, and buildings fronting those spaces should be active and visually interesting at the pedestrian level.
3. **Encourage creativity, architectural diversity, and exceptional design.** Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility. Standards and guidelines, as well as the development review process, are intended to support creativity and exceptional design while discouraging uniformity.
4. **Promote sustainable development that minimizes negative impacts on natural resources.** Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low-density development in peripheral areas. In accordance with sustainable development principles, the mixed-use buildings and public spaces should be designed to minimize negative impacts on air and water quality and promote innovation in environmental design.

- b. **Building Types Permitted** The following building intent statements and illustrations have been provided to demonstrate the recommended building forms in the Low Intensity Mixed-Use ("MU-1G") District. All intent statements are addressed through development standards set out in Section 4.1301 C through G.

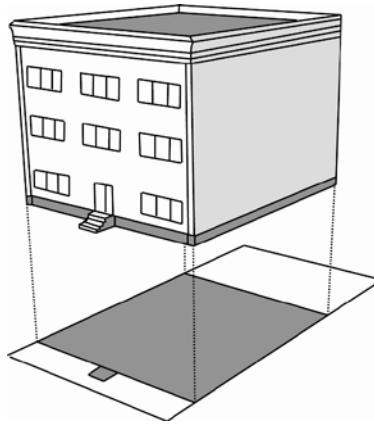
1. **General Commercial:** A development type with nonresidential uses. Ground-story spaces are flexible enough to accommodate a variety of nonresidential uses. Upper stories are used for offices or other types of compatible nonresidential uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary entrances are prominent and street facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground story space.



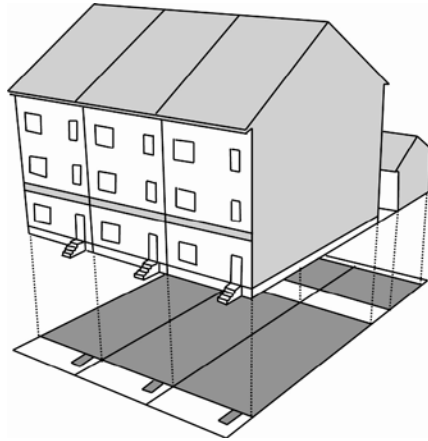
2. **Mixed-Use Shopfront:** A development type with ground-story retail and upper-story residential or office uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary entrances are prominent and street facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground-story place.



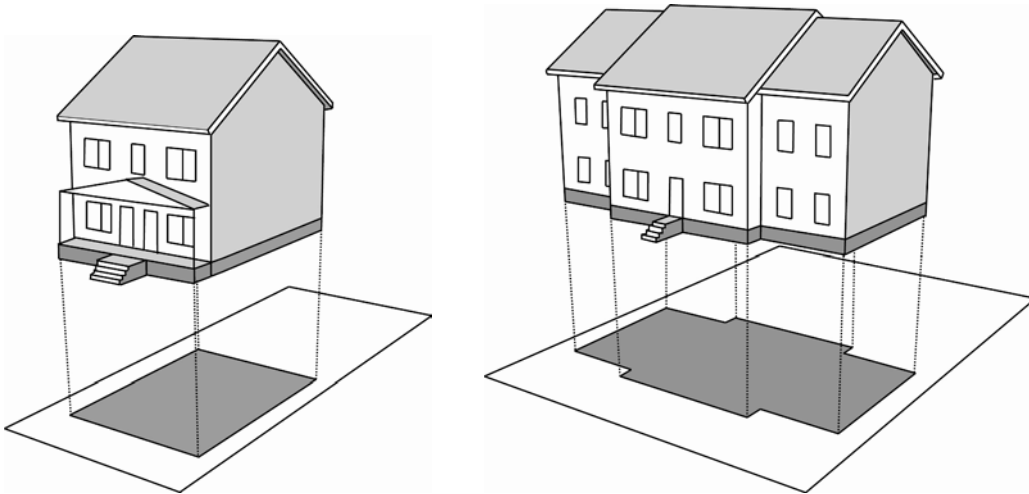
3. **Apartment/Condominiums:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building often shares a common entrance. Primary entrances are prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for an apartment/condominium building is allowed on the side or rear of the building, but the preferred method is at the rear of the building.



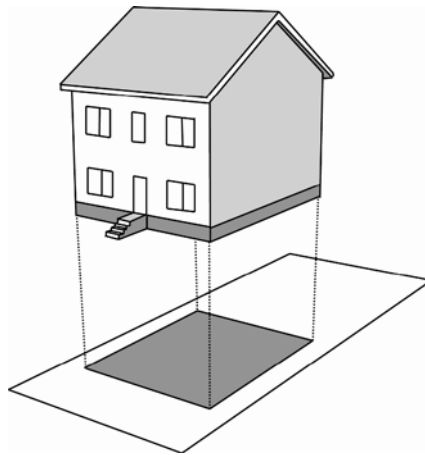
4. **Townhouse:** A building with three or more attached dwelling units consolidated into a single structure. The front of the building is faced on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. A townhouse unit is more than one story in height; however, units should not be vertically mixed. Parking access via a driveway or rear alley is required. An elevated ground floor for residential uses is recommended to ensure privacy.



5. **Urban Manor House:** A development/building with two to five attached dwelling units consolidated in a single structure. A manor house is located on a single lot and contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building has the appearance of a conventional single-family house with a single primary entrance except that a manor house with two dwelling units (duplex) may have one primary entrance for each unit provided it meets the requirements of 4.1301 D.8.f.iv. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a manor house is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



- 6. Single-Family House:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a single-family home is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



B. Uses

In the Low Intensity Greenfield Mixed-Use ("MU-1G") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued, except in accordance with the use table in Chapter 4, Article 12, and the supplemental standards of Chapter 5. In the Low Intensity Greenfield Mixed-Use ("MU-1G") District, residential, commercial and institutional uses may occupy the same building and lot. All projects must comply with the mix of use requirements described in Section 4.1301.H.1.

One-family detached residential lots shall not exceed 10,000 square feet.

C. Property Development Standards

In the Low Intensity Greenfield Mixed-Use ("MU-1G") District, the dimension of yards, the placement of the building, the minimum and maximum height of buildings, the minimum and maximum residential density, and the enhanced landscaping shall be as follows:

1. **General yard development standards:** Development shall be exempt from Chapter 6, Article 1, Sections 6.101B, 6.101C, 6.101E, and 6.101G.
2. **Required street frontage:** The intent of requiring building street frontage is to encourage a more prominent and continuous street wall to promote a multi-model, pedestrian friendly environment while reducing the visual dominance of large surface parking lots.
 - a. **Primary Street:** building facades shall be located within the area between the property line and the maximum setback for a minimum of 50 percent of the primary street frontage of the parcel.

- b. Side Street: applies only to corner lots; building facades shall be located within the area between the property line and the maximum setback for a minimum of 30 percent of the side street frontage of the parcel.
 - c. Required street frontage shall apply only to the ground floor of the building.
 - d. Required street frontage alternatives: These alternatives may count towards a portion of the required street frontage for the building, when meeting the following standards;
 - i. Arcades: 100%
 - ii. Residential garden court: 40%
 - iii. Outdoor seating: 40%
 - iv. Plaza: 40%
3. **Front yard:** 20 feet maximum setback, with the following provisions:
- a. Campus developments: Interior buildings constructed as part of a campus development may be set back from the property line more than 20 feet if at least 50 percent of the public street frontage on each block face within the development contains buildings within the maximum setback of 20 feet. Interior buildings set back farther than 20 feet may not be constructed unless and until this 50 percent requirement has been satisfied.
 - b. Buildings may exceed the maximum 20-foot setback if angled, perpendicular, or parallel parking on private property meets the conditions of Section 4.1301.D.4.e. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line, and the setback shall be no greater than 20 feet.
 - c. Buildings on corner lots are required to meet the front yard maximum setback on primary and side streets.
 - d. To allow convenient access to parking from the front entrances of large retail buildings greater than 50,000 square feet, the building side of any internal street with a public access easement may serve as the line from which the setback is measured. The total ground floor area of buildings utilizing this exception, however, shall constitute no more than 50 percent of the total ground floor area of buildings shown on the conceptual site plan.
Note: A campus development is defined as a unified group of buildings and/or facilities located on a contiguous parcel(s) and operated as a place of worship, school, or hospital.
4. **Rear yard:** 5 feet minimum setback.
5. **Side yard:** Setbacks are required when an abutting property with an existing building has windows facing to the side. Then, any new development or addition shall provide at least 10 feet of separation between the existing and new building.
Note: Additional setback conditions are included in Section 4.1301.G. Other Development Standards.
6. **Minimum Height:** 18 feet
Note: Development in the Low Intensity Mixed-Use ("MU-1G") District is exempt from Section 6.100. Minimum building height for all uses shall be measured from the top of the finished slab to top of the highest wall façade. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.
7. **Maximum Height:**
- a. 45 feet, or 3 stories, whichever is less; or
 - b. 60 feet or 5 stories, whichever is less, if:
 - i. Residential uses constitute 20 percent or more of a building's gross floor area, and
 - ii. Office, eating and entertainment, and/or retail sales and service use constitute 10 percent or more of the building's gross floor area.
Note: Development in the Low Intensity Greenfield Mixed-Use ("MU-1G") District is exempt from Section 6.100. Maximum building height for all uses shall be measured from the top of the finished slab at grade level to the top of the highest wall top plate. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.
Stealth Telecommunication Towers are permitted to a height of 75 feet. The Urban Design Commission must approve the design of all Stealth Telecommunication Towers.
Telecommunication Towers are permitted to a height of 60 feet as a Special Exception approved by the Board of Adjustment.
8. **Minimum residential units per acre:** None; except when a residential or mixed use project is located within 1,320 feet of an entrance to an existing or approved passenger rail station or stop: 20

9. Maximum residential units per acre:

- a. 40; or
- b. 70 if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.

D. Off-Street Parking and Loading.**1. Commercial and Mixed-Use Parking Table:**

Location	Requirement as a percentage of parking requirement listed in Section 6.201B	
	Minimum	Maximum
Project not located within 250 feet of One or Two Family zoned property	None	100 percent
Project located within 250 feet of One or Two Family zoned property	75 percent	100 percent
and within 1,000 feet of an entrance to an existing or approved passenger rail station or stop	50 percent	100 percent

2. Residential Parking Table:

Building Type/Use	Requirement
Single Family	2 parking spaces located behind the front of the building line per dwelling unit.
Townhouse	2 parking spaces per dwelling unit are required at the rear of the primary structure and accessed via a driveway or rear alley.
Manor house (duplex)	2 spaces per dwelling unit plus 1 space per bedroom over three (3) bedrooms per dwelling unit all located behind the front building line
Manor house (apartment) and Apartment/Condominium	0.75 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage)
On-street parking along the lot frontage may be applied toward the minimum parking requirements, but shall not reduce the applicable maximum parking limitations.	If the development is within 1,320 feet of a rail transit station 0.5 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage) *All partial spaces are rounded up.

3. Bicycle Parking: See Section 6.204**4. Other Off-Street Parking and Loading Standards**

- a. The required off-street parking for any use may be located off-site, on property within 500 feet of the subject site.
- b. Adjacent on-street parking may be applied toward the minimum parking requirements, but shall not reduce the pertinent maximum parking limitations.

- c. For mixed-use buildings and projects the total parking requirement shall be the sum of the individual requirements for all uses. A joint use parking agreement, if executed according to the standards set forth in section d below, would allow a reduction in the total requirement for the mixed-use building or project.
- d. Joint use parking facilities may be used to meet minimum parking requirements. The total number of spaces shall not exceed the sum of the maximum spaces allowed for all individual uses sharing the facility. Joint use of required parking spaces may occur where two or more uses on the same site or on separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing as part of the building permit application or site plan review:
 - i. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - ii. The location and number of parking spaces that are being shared;
 - iii. An analysis showing that the peak parking demands for the different uses occur at different times, and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking times; and,
 - iv. A legal instrument such as an easement or deed restriction that guarantees access to the joint parking for all uses.
- e. Surface parking shall not be permitted between a building front and the street, except that angled, perpendicular, or parallel parking that is designed to function as on-street parking shall be permitted if it meets the following three conditions:
 - i. The City's Traffic Engineer determines that the parking does not adversely affect public safety or circulation and satisfies the conditions described in Section 22-175d of the City Code,
 - ii. Each parking space is located adjacent to and is directly accessible from a public street or publically accessible private street, and
 - iii. Surface parking permitted between a building front and the street (on-street parking) and the required pedestrian walkway shall be either dedicated as public right-of-way or be included in a public access easement recorded in the real property records of the county. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line and the setback shall be no greater than 20 feet.
- f. Uses located in historically significant buildings shall be exempt from off-street parking requirements. For the purposes of this exemption, historically significant buildings shall include those determined by the Historic Preservation Officer to be eligible, based on the applicable criteria, for:
 - i. Listing in the National Register of Historic Places; or
 - ii. Local designation as either Historic and Cultural Landmark ("HC") or Highly Significant Endangered ("HSE").
- g. These requirements supersede the parking requirements of Section 6.201B. All other requirements of Chapter 6, Article 2 apply.

E. Landscaping and Buffers. The requirements of Chapter 6, Article 3 apply, with the following provisions.

1. Bufferyard and Supplemental Building Setback.

- a. For the purposes of this section, the Low Intensity Greenfield Mixed-Use ("MU-1G") District shall be considered a nonresidential district.
- b. A bufferyard and supplemental building setback are not required between the boundary of a one- or two-family development within the Low Intensity Greenfield Mixed-Use ("MU-1G") District and an adjacent one- or two-family district.
- c. All uses, other than one- or two-family adjacent to one- and two-family districts, shall conform to the supplemental building setback and bufferyard width standards required for the Neighborhood Commercial ("E") District, as described in Section 6.300.C. Area Requirements. In addition, a transitional height plane of 45 degrees shall apply to portions of a building above 45 feet or 3 stories, whichever is less; starting from the property line of the one- or two-family district. Any portion of a building above 45 feet or 3 stories, whichever is less, shall be set back so that the building does not encroach the transitional height plane; i.e., the portion of a building above 45 feet or 3 stories must be set back an additional foot for each additional foot in height with the plane starting from the property line of the one- or two-family district. This standard is illustrated in Figure 4.2 below. These supplemental building setback and transitional height plane requirements shall not apply to buildings adjacent to one- or two-family districts that serve as public open space, such as parks and drainage ways.

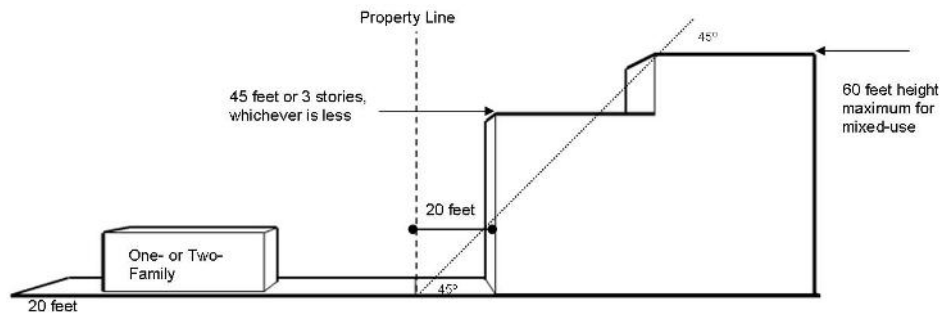


Figure 4.2 . MU-1G Transitional Height Plane

- 2. Enhanced Landscaping Point System Requirements.** Enhanced landscaping must earn a minimum of 30 points (20 points in single-family house and urban manor houses with (2) units) that are awarded for providing and maintaining specific landscaping and design features. The points are accumulated as follows:

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
Plaza	5% of net land area. Plaza shall be continuous w/ minimum area not less than 1,000 sq. ft. <i>If 5% of net land area is greater than 2,000 square feet, multiple plazas are permitted.</i>	15
Playground	5% of net land area w/ minimum area not less than 1,000 sq. ft.	15
Community garden	1 pt for every 250 sq. ft. w/ minimum area not less than 1,000 sq. ft.	5-15
Arcades, structural awnings, galleries, balconies or other approved pedestrian shelter	50% of façade facing primary street or 25 linear ft., whichever is greater; 4 ft. minimum depth.	10
Single family front porch	50% of façade facing primary street	10
Enhanced streetscaping	Each 50 ft. segment of street frontage is required to have 2 streetscaping items. Items include but are not limited to benches, trash receptacles, bike racks, and planters using materials appropriate for the adjacent street and approved by the Transportation and Public Works Department.	10
Pedestrian-scaled lighting	1 light post for every 60 ft. of street frontage; style approved by the Transportation and Public Works Department and consistent with other pedestrian lights on the same block.	10
Programmed recreation area	3% of net land area. Programmed recreation areas include but are not limited to chess parks, bocce ball courts, and exercise/yoga facilities.	10
Public art installation	As approved by the Planning and Development Director or designee. Public art installations include but are not limited to pieces of sculpture, murals, and water features planned and executed with the specific intention of being sited or staged in the physical public domain, outside and accessible to all. Materials used are durable and resistant to graffiti and weather.	10
Street trees	Required spacing:	10

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
	<ul style="list-style-type: none"> Small/Medium Canopy 25 – 30 ft. Large Canopy 35 – 40 ft. 	
Window awnings, shallow door canopies, or other façade features that are not intended to provide pedestrian shelter (less than 4 ft in depth)	25% of façade facing primary street or 15 linear ft, whichever is greater. Multiple features (i.e. awnings) may add up to the required amount.	5
Programmed sitting area/public outdoor dining area	Minimum 15 seats	5
Proximity to a public park	Within 500 ft	5
Sustainable landscaping	Xeriscaping, on-site stormwater management, rain gardens, bio-swales, etc.	5
Rooftop terrace	Minimum 200 sq. ft.	5
Paved walkway enhancement	1 pt for every additional foot of sidewalk width over the City standard (up to a 15 ft wide sidewalk total)	1-11

- a. Points shall be awarded only one for each feature category, per project.
- b. Submittal of Landscape Plan. The location and description of decorative paving, sidewalk furniture or other decorative elements, if any, shall be indicated on the landscape plan.
- c. Landscape Area Required. Section 6.301.H “Landscape Area Required” does not apply to developments in the MU-1G district; except
 - i. All landscaped areas shall be located outside the perimeter of the footprint of a building or structure; protected by wheel stops, curbs or other physical barriers where adjacent to vehicle use areas; and be covered with grass, organic mulch or low maintenance groundcover. (Section 6.301.H.1.b.)
 - ii. Landscaped bioretention areas are encouraged for natural drainage channels to reduce runoff and increase infiltration of water into the soil. (Section 6.301.H.2.b.)
 - iii. When there is a front yard setback of at least five feet, front yard landscaping is required for areas outside the ground level patios, parkways and pedestrian walkways. Front yard landscaping must adhere to the shrub and native plants as listed in Table 6.8, Table A of Section 6.301.H. as well as other applicable regulations described or referenced within the MU-1G regulations.
- d. Irrigation. An irrigation system shall be installed to provide total water coverage to all plant materials installed pursuant to Section 6.301.I “Irrigation”.
- e. Miscellaneous Requirements. In addition to required trees and shrubs, all of the required landscape area must be covered with grass, organic mulch, live groundcover, decorative paving, sidewalk furniture or other decorative elements.

3. Landscaping in Parking and Driveway Areas.

- a. Landscape islands, linear landing strips, bio-swales, or rain gardens shall be required in parking lots with 12 or more parking spaces. All landscape islands and strips shall have at least one tree.
- b. Every parking space is required to be not more than 60 feet from a medium or large canopy tree planted within a median, strip or island measured from the trunk at planting.
- c. Required size of landscape islands and linear landscaping strips containing trees:
 - i. Within parking lots with non-porous surfaces: 130 square feet; 8 feet minimum width
 - ii. Planted in Structural Soil: 64 square feet; 8 feet minimum width. The use of an approved structural soil shall be limited to landscape islands and adjacent walkways and parking areas necessary for proper tree growth. Structural soils shall not be used for fire lanes in parking lots.
 - iii. Within parking lots with approved porous surfaces for parking areas excluding fire lanes: 16 square feet. Tree trunks should be protected by wheel stops or other physical barriers excluding curbs.
 - iv. Linear landscaping strips are encouraged in lieu of landscaping islands where possible.

- v. Parking lots shall be screened from the public right-of-way with landscaping, berms, fences or walls 36 to 42 inches in height.
- vi. Driveways that are located adjacent and parallel to a public street shall be screened from the public right-of-way with landscaping, berms, fences, or walls 36 to 42 inches in height.

F. Façade Design Standards for New Construction. Projects that clearly conform to all façade design standards may be approved administratively by the Planning & Development Director or designee. A waiver from the faced design standards may be granted by the Urban Design Commission (UDC) in accordance with the applicable development principles and standards.

Large Retail Stores – Large retail stores greater than 50,000 square feet are exempt from the regulations of this section 8 “Façade Design Standards for New Construction,” but shall conform to the design standards for large retail stores listed in Section 5.134 of the zoning ordinance.

- 1. Required Drawings** – To illustrate compliance with the following standards, elevation drawings shall be submitted to the Planning & Development Department for those building facades that are oriented to:
 - a. public streets,
 - b. private streets and walkways that are publicly accessible through a public use easement, or
 - c. publicly accessible open space.
- 2. Façade Variation**
 - a. **Scaling Elements:** Each new building façade oriented to a publicly accessible street or open space shall at a minimum incorporate three or more of the following four scaling elements for building façades greater than 50 ft. in width, and at least two of the following elements for building facades less than 50 ft. in width:
 - i. Expression of building structural elements such as:
 - a) Floors (banding, belt courses, etc. not less than one inch deep and four inches wide),
 - b) Columns (pilasters, piers, quoins, etc. not less than four inches deep and six inches wide), or
 - c) Foundation (water tables, rustication);
 - ii. Variation in wall plane (not less than four inches) through the use of projecting and recessed elements. Such elements could include patterns of door and window openings (and the use of sills, mullions, and other scale providing window elements), and/or more pronounced architectural features, such as porches, alcoves, and roof dormers;
 - iii. Changes in material or material pattern. Each change of material shall involve a minimum one inch variation in wall plane; and
 - iv. Noticeable changes in color or shade.
 - b. New building facades oriented to a publicly accessible street or open space shall include differentiation between the first and second level and the upper levels with a cornice, canopy, balcony, arcade, or other architectural feature.
 - c. If a project consists of more than one block face, each sequential block of new construction shall contain a different building façade to encourage architectural variety within large projects, using the required architectural elements listed in Section a.i. above and/or other architectural features.
 - d. New multifamily residential building facades oriented to a publicly accessible street or open space shall include at least two variations in wall plane per 100 linear feet of street frontage. Variations shall be not less than three feet in depth or projection and not less than two stories in height for multi-story building.
- 3. Fenestration.** New single use commercial and mixed-use building facades fronting on publicly accessible streets or open space shall meet the following requirements:

Fenestration Requirement		
Project Type	Primary Street	Side Street
Mixed-Use		
Ground Story from 2 feet to 12 feet above grade	60 percent	40 percent
Upper Stories	25 percent	25 percent
Commercial		
Ground Story from 2 feet to 12 feet above grade	60 percent	40 percent
Upper Stories	25 percent	25 percent
Residential		
	None	None

- a. Clear glazing must have a visible transmittance rating of 0.5 or greater to count towards the fenestration requirement.
- b. Fenestration alternatives. The following alternatives may count towards meeting the fenestration requirement and can be used in singular or in combination. If used in combination, they may count no more than 70 percent of the fenestration requirement.

Fenestration Alternatives	
Alternative	Percent towards requirement
Windows at the ground story but outside the 2-12 feet zone	40 percent
Wall mounted or recessed display cases at least 4 feet high	40 percent
Walk-up automated teller machines, video rental or similar kiosk	40 percent
Green screen system, planter walls, or similar vegetation	40 percent
Translucent, fritted, patterned, or color glazing	40 percent
Outdoor dining/seating located between the building and street	60 percent

4. **Building Materials.** Not less than 70 percent of all new building facades (not including door and window areas) facing publicly accessible streets or open space shall be constructed of the following masonry materials: stone, brick, terra cotta, patterned pre-cast concrete, cement plaster stucco, cement board siding, cast stone or prefabricated brick panels.
5. **Building Entries**
 - a. Building entrances shall incorporate arcades, roofs, porches, alcoves or awnings that protect pedestrians from the sun and rain.
 - b. Primary entrances shall be provided at intervals not to exceed 125 linear feet of street-oriented residential building frontage.
 - c. Townhouses and other similar street level dwelling units within multi-unit structures shall have individual street-oriented entries for each unit.
 - d. Manor Houses shall have a single primary entrance provided however, that a Manor House with two dwelling units (duplex) may have one primary entrance for each unit. Each primary entrance must be provided under a shared porch or one of the entrances must be accessed from a side façade of the structure.
6. **Commercial and Mixed-Use Roof Design.** Roof slope shall not be greater than 1:12 on all single-story buildings. Sloped roof elements, including but not limited to mansard roofs, half-false roofs and towers are allowed.
7. **Parking Structure Façade Standards**
 - a. Buildings shall not have exposed structural parking at the ground floor level.
 - b. A parking structure façade that faces a public street shall be designed to incorporate contextual architectural elements that complement adjacent buildings or buildings in the area.
 - c. Parking structure openings shall not exceed 50 percent of the total ground floor façade.

G. Other Development Standards. Development in the Low Intensity Greenfield Mixed-Use ("MU-1G") District shall be subject to the pertinent development standards in Chapter 6, and the following provisions:

1. **Signs.** See Chapter 6, Article 4 for requirements and the following provisions:
 - a. In addition to signs allowed in Chapter 6, Article 4, one or more attached project identifier or wayfinding signs may be erected on each façade of the occupied space. The signs may have a total area of 10% of the area of the façade to which the signs are attached, with a maximum aggregate area of 500 square feet per façade. The façade area shall be calculated by multiplying the width times the height, with a maximum calculated height of 15 feet. For structures exceeding 15 feet in height, allowable sign square footage shall be calculated as .75 square feet per linear of building façade.
2. **Residential Design Standards.** Multifamily developments are exempt from the requirements of Section 6.506 "Unified Residential Development".
3. **Outdoor Storage or Display.** Outdoor storage or display requirements for the Neighborhood Commercial ("E") District shall apply to the Low Intensity Greenfield Mixed-Use ("MU-1G") District.
4. **Entrances.** In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principle building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a public parking lot. Secondary entrances from parking lots are permitted. Interior buildings constructed as part of a campus development are exempt from these requirements.

5. **Fences and Gates.** In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private streets or walkways that are publicly accessible through a public use easement, or along publicly accessible open space shall not extend beyond building facades; i.e., these fences shall not be located in the area between building facades and the property line. Fences not exceeding 4 feet in height, however, may extend beyond the building façade of attached or detached single family house or townhouse developments in mixed-use zoning districts (see '5.305 Fences' B.2. for fence development standards).
6. **Development Standards Applicable to Privately Owned streets and Drives with Public Access Easements.** Private streets and drives with public access easements shall be considered public streets or rights-of-way for the purposes of review for compliance with setbacks, parking, screening, façade variations, fenestration, and other MU-1G design requirement normally based on streets.

H. Administrative Review Requirements

1. **Conceptual Land Use Plan.** Developers of projects equal to or larger than three acres in size shall submit a conceptual land use plan for approval by the Planning and Development Director. The conceptual land use plan must be approved before a building permit application is accepted by the Planning and Development Department. The Planning and Development Director may require a conceptual land use plan for a project smaller than three acres if the project is part of a development equal to or larger than three acres in size.
 - a. Generally
 1. The conceptual land use plan shall illustrate the proposed location of land uses on the site, using the following land use categories:
 - i. All residential,
 - ii. Commercial,
 - iii. Institutional,
 - iv. Mixed-use buildings (a mix of residential and non-residential within the same building, meeting the percentage requirements defined in subsection (c) (7)b. above; or
 - v. Public Park.
 2. Parking facilities and private open spaces shall be classified the same as the primary land use they serve.
 - b. Project Test - The conceptual land use plan shall show that the proposed project includes uses within at least two of the land use categories, and that no land use category other than mixed-use buildings occupies greater than 70 percent of the total land area. The land use area percentages shall be calculated using property information obtained from the applicable tax appraisal district. If a development does not comply with this test, then the vicinity test described below shall apply.
 - c. Vicinity Test - Developments in which a single land use other than mixed-use buildings exceeds 70 percent of the site's total land area are permitted if:
 - i. The Planning and Development Director determines that the following conditions are satisfied:
 - a) The proposed land use at any location within the proposed development site must be within a walking distance of 1,000 feet of a different land use, as measured by the shortest pedestrian route, and
 - b) The percentage of any single land use category other than mixed-use buildings within a 1,000-foot radius of any location within the proposed development site shall not be greater than 70 percent of the land area within the radius. The proposed development shall be included in the calculation of this percentage. Or
 - c) Once a project, or portion of a project, is constructed or partially constructed in accordance with the approved Conceptual Land Use Plan, this Vicinity test shall not create legal non-conforming status nor prevent the restoration of a building or buildings destroyed by fire, explosion or other casualty, or act of God, or the public enemy, nor prevent the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction. Subsequent development within the 1,000 ft. radius described in Section b. above shall not affect the approved conceptual land use plan and shall not create legal non-conforming status. Or
 - ii. The Planning and Development Director determines that the developer has demonstrated that unique site conditions (e.g. adjacency to natural features, highways, freight yards, etc.) make compliance with the conditions of section i. above impractical in certain areas of the development site.

- 2. Conceptual Site Plan.** In order to facilitate compliance with the mixed-use zoning standards, developers shall submit a conceptual site plan to the Planning and Development Department for administrative review prior to submittal of permit applications for new construction projects. The site plan shall show the anticipated location of proposed streets, sidewalks and walkways, building footprints, parking areas, landscaped areas and features, and open space.
(Ord. No. 16520, Eff. 07-19-05; 17024, 06/20/06; 17522, 04/24/07; 19587, 03/08/11; 20159, 05/15/12; 21782, 07/26/15)

4.1302 High Intensity Mixed-Use ("MU-2") District

A. Purpose and Intent

1. Purpose

It is the purpose and intent of the High Intensity Mixed-Use ("MU-2") District to provide areas in which a variety of higher density housing types exist among commercial, institutional, and selected light industrial uses.

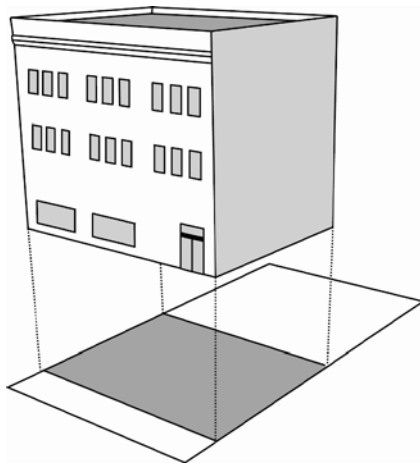
2. Intent Statements

a. General Development Principles

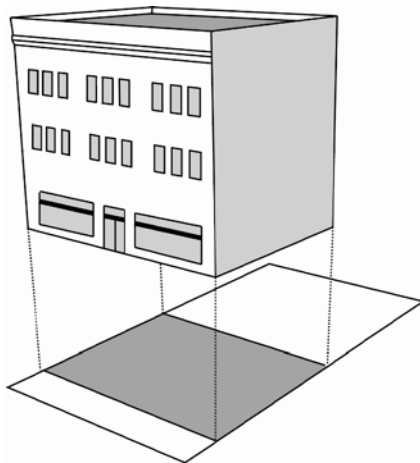
1. **Promote a pedestrian-oriented urban form.** In contrast to conventional zoning standards that place a primary emphasis on the regulation of land uses, mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding area's historic urban character. The focus on form promotes buildings that conform to tested urban design principles.
2. **Require excellence in the design of the public realm and of buildings that front public spaces.** The most successful and memorable urban environments are those in which walking down the street is appealing. Streets, plazas, parks, and other public spaces should be comfortable and inviting, and buildings fronting those spaces should be active and visually interesting at the pedestrian level.
3. **Encourage creativity, architectural diversity, and exceptional design.** Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility. Standards and guidelines, as well as the development review process, are intended to support creativity and exceptional design while discouraging uniformity.
4. **Promote sustainable development that minimizes negative impacts on natural resources.** Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low-density development in peripheral areas. In accordance with sustainable development principles, the mixed-use buildings and public spaces should be designed to minimize negative impacts on air and water quality and promote innovation in environmental design.

- ##### b. Building Types Permitted
- The following building intent statements and illustrations have been provided to demonstrate the recommended building forms in the High Intensity Mixed-Use ("MU-2") District. All intent statements are addressed through development standards set out in Section 4.1302 C through G.

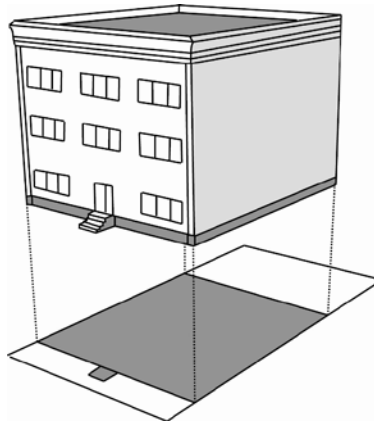
1. **General Commercial:** A development type with nonresidential uses. Ground-story spaces are flexible enough to accommodate a variety of nonresidential uses. Upper stories are used for offices or other types of compatible nonresidential uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary streets are prominent and street-facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground-story space.



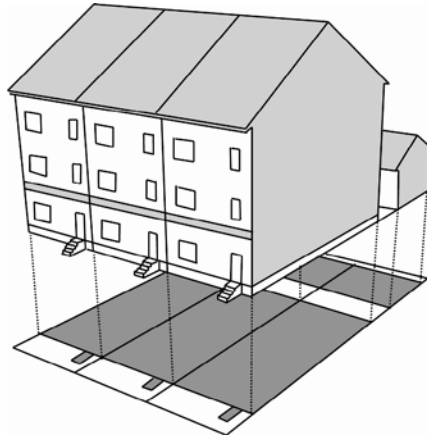
2. **Mixed-Use Shopfront:** A development type with ground-story retail and upper-story residential or office uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary entrances are prominent and street facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground-story place.



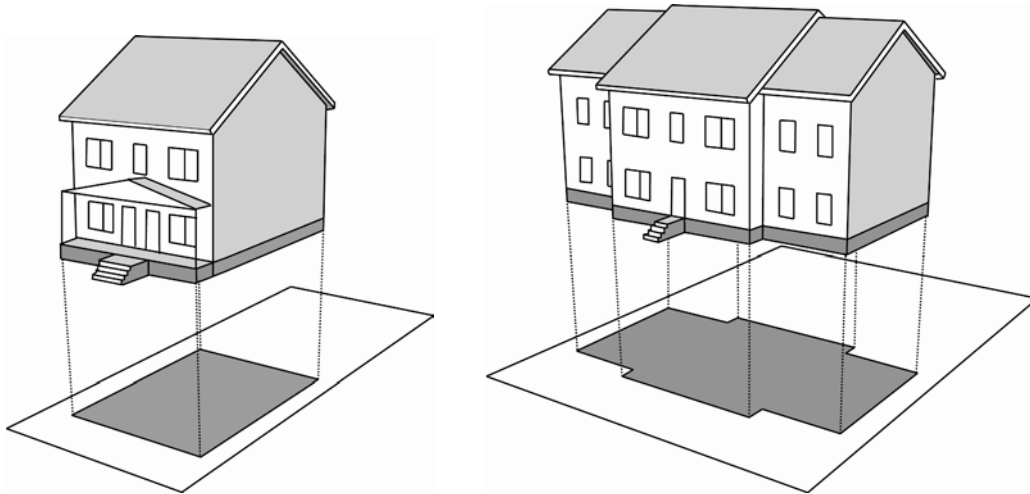
3. **Apartment/Condominiums:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building often shares a common entrance. Primary entrances are prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for an apartment/condominium building is allowed on the side or rear of the building, but the preferred method is at the rear of the building.



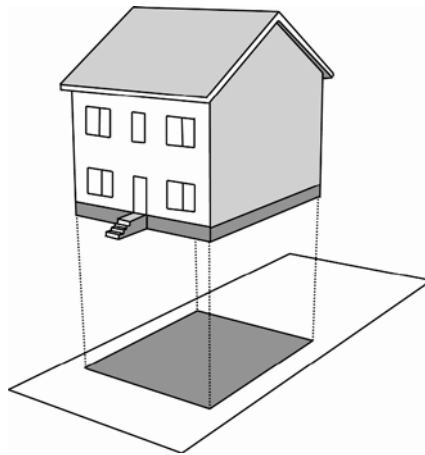
4. **Townhouse:** A building with three or more attached dwelling units consolidated into a single structure. The front of the building is faced on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. A townhouse unit is more than one story in height; however, units should not be vertically mixed. Parking access via a driveway or rear alley is required. An elevated ground floor for residential uses is recommended to ensure privacy.



5. **Urban Manor House:** A development/building with two to five attached dwelling units consolidated in a single structure. A manor house is located on a single lot and contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building has the appearance of a conventional single-family house with a single primary entrance except that a manor house with two dwelling units (duplex) may have one primary entrance for each unit provided it meets the requirements of 4.1302 D.8.f.iv. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a manor house is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



- 6. Single-Family House:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a single-family home is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



B. Uses

In the High Intensity Mixed-Use (“MU-2”) District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued, except in accordance with the use table in Chapter 4, Article 12, and the supplemental standards of Chapter 5.

In the High Intensity Mixed-Use (“MU-2”) District, residential, commercial and institutional uses and light industrial uses may occupy the same building and lot. All projects must comply with the mix of use requirements described in Section 4.1302.H.1.

C. Property Development Standards

In the High Intensity Mixed-Use (“MU-2”) District, the dimension of yards, the placement of the building, the minimum and maximum height of buildings, the minimum and maximum residential density, and the enhanced landscaping shall be as follows:

- 1. General yard development standards:** Development shall be exempt from Chapter 6, Article 1, Sections 6.101B, 6.101C, 6.101E, and 6.101G.
- 2. Required street frontage:** The intent of requiring building street frontage is to encourage a more prominent and continuous street wall to promote a multi-model, pedestrian friendly environment while reducing the visual dominance of large surface parking lots.
 - a. Primary Street: building facades shall be located within the area between the property line and the maximum setback for a minimum of 70 percent of the primary street frontage of the lot.

- b. Side Street: applies only to corner lots; building facades shall be located within the area between the property line and the maximum setback for a minimum of 30 percent of the side street frontage of the lot.
- c. Required street frontage shall apply only to the ground floor of the building.
- d. Required street frontage alternatives: These alternatives may count towards a portion of the required street frontage for the building, when meeting the following standards;
 - i. Arcades: 100%
 - ii. Residential garden court: 40%
 - iii. Outdoor seating: 40%
 - iv. Plaza: 40%
- 3. **Front yard:** 20 feet maximum setback, with the following provisions:
 - a. Campus developments: Interior buildings constructed as part of a campus development may be set back from the property line more than 20 feet if at least 50 percent of the public street frontage on each block face within the development contains buildings within the maximum setback of 20 feet. Interior buildings set back farther than 20 feet may not be constructed unless and until this 50 percent requirement has been satisfied.
 - b. Buildings may exceed the maximum 20-foot setback if angled, perpendicular, or parallel parking on private property meets the conditions of Section 4.1302.D.4.e. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line, and the setback shall be no greater than 20 feet.
 - c. Buildings on corner lots are required to meet the front yard maximum setback on primary and side streets.

Note: A campus development is defined as a unified group of buildings and/or facilities located on a contiguous parcel(s) and operated as a place of worship, school, or hospital.
- 4. **Rear yard:** 5 feet minimum setback.
- 5. **Side yard:** Setbacks are required when an abutting property with an existing building has windows facing to the side. Then, any new development or addition shall provide at least 10 feet of separation between the existing and new building.

Note: Additional setback conditions are included in Section 4.1302.G. Other Development Standards.

- 6. **Minimum Height:** Two (2) stories consisting of a minimum of 18 feet.

Note: Development in the High Intensity Mixed-Use ("MU-2") District is exempt from Section 6.100. Minimum building height for all uses shall be measured from the top of the finished slab to top of the highest wall façade. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.

- 7. **Maximum Height:**
 - a. 60 feet, or 5 stories, whichever is less; or
 - b. 120 feet or 10 stories, whichever is less, if:
 - i. Residential uses constitute 20 percent or more of a building's gross floor area, and
 - ii. Office, eating and entertainment, and/or retail sales and service use constitute 10 percent or more of the building's gross floor area.

Note: Development in the High Intensity Mixed-Use ("MU-2") District is exempt from Section 6.100. Building height for all uses shall be measured from the top of the finished slab at grade level to the top of the highest wall top plate. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.

Stealth Telecommunication Towers are permitted to a height of 75 feet. The Urban Design Commission must approve the design of all Stealth Telecommunication Towers.

Telecommunication Towers are permitted to a height of 60 feet as a Special Exception approved by the Board of Adjustment.
- 8. **Minimum residential units per acre:** None; except when a residential or mixed use project is located within 1,320 feet of an entrance to an existing or approved passenger rail station or stop: 50
- 9. **Maximum residential units per acre:**
 - a. 70; or
 - b. No limit if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.

D. Off-Street Parking and Loading.

1. Commercial and Mixed-Use Parking Table:

Location	Requirement as a percentage of parking requirement listed in Section 6.201B	
	Minimum	Maximum
Project not located within 250 feet of One or Two Family zoned property	None	100 percent
Project located within 250 feet of One or Two Family zoned property	75 percent	100 percent
and within 1,000 feet of an entrance to an existing or approved passenger rail station or stop	50 percent	100 percent

2. Residential Parking Table:

Building Type/Use	Requirement
Single Family	2 parking spaces located behind the front of the building line per dwelling unit.
Townhouse	2 parking spaces per dwelling unit are required at the rear of the primary structure and accessed via a driveway or rear alley.
Manor house (duplex)	2 spaces per dwelling unit plus 1 space per bedroom over three (3) bedrooms per dwelling unit all located behind the front building line
Manor house (apartment) and Apartment/Condominium	0.75 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage)
On-street parking along the lot frontage may be applied toward the minimum parking requirements, but shall not reduce the applicable maximum parking limitations.	If the development is within 1,320 feet of a rail transit station 0.5 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage) *All partial spaces are rounded up.

3. Bicycle Parking: See Section 6.204**4. Other Off-Street Parking and Loading Standards**

- The required off-street parking for any use may be located off-site, on property within 500 feet of the subject site.
- Adjacent on-street parking may be applied toward the minimum parking requirements, but shall not reduce the pertinent maximum parking limitations.
- For mixed-use buildings and projects the total parking requirement shall be the sum of the individual requirements for all uses. A joint use parking agreement, if executed according to the standards set forth in section d below, would allow a reduction in the total requirement for the mixed-use building or project.
- Joint use parking facilities may be used to meet minimum parking requirements. The total number of spaces shall not exceed the sum of the maximum spaces allowed for all individual uses sharing the facility. Joint use of required parking spaces may occur where two or more uses on the same site or on separate sites are able to share the same parking spaces because their parking demands occur at

different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the Planning and Development Department as part of the building permit application or site plan review:

- i. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - ii. The location and number of parking spaces that are being shared;
 - iii. An analysis showing that the peak parking demands for the different uses occur at different times, and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking times; and,
 - iv. A legal instrument such as an easement or deed restriction that guarantees access to the joint parking for all uses.
- e. Surface parking shall not be permitted between a building front and the street, except that angled, perpendicular, or parallel parking that is designed to function as on-street parking shall be permitted if it meets the following three conditions:
- i. The City's Traffic Engineer determines that the parking does not adversely affect public safety or circulation and satisfies the conditions described in Section 22-175d of the City Code,
 - ii. Each parking space is located adjacent to and is directly accessible from a public street or publically accessible private street, and
 - iii. Surface parking permitted between a building front and the street (on-street parking) and the required pedestrian walkway shall be either dedicated as public right-of-way or be included in a public access easement recorded in the real property records of the county. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line and the setback shall be no greater than 20 feet.
- f. Uses located in historically significant buildings shall be exempt from off-street parking requirements. For the purposes of this exemption, historically significant buildings shall include those determined by the Historic Preservation Officer to be eligible, based on the applicable criteria, for:
- i. Listing in the National Register of Historic Places; or
 - ii. Local designation as either Historic and Cultural Landmark ("HC") or Highly Significant Endangered ("HSE").
- g. These requirements supersede the parking requirements of Section 6.201B. All other requirements of Chapter 6, Article 2 apply.

E. Landscaping and Buffers. The requirements of Chapter 6, Article 3 apply, with the following provisions.

1. Bufferyard and Supplemental Building Setback.

- a. For the purposes of this section, the High Intensity Mixed-Use ("MU-2") District shall be considered a nonresidential district.
- b. A bufferyard and supplemental building setback are not required between the boundary of a one- or two-family development within the High Intensity Mixed-Use ("MU-2") District and an adjacent one- or two-family district.
- c. All uses, other than one- or two-family adjacent to one- and two-family districts, shall conform to the supplemental building setback and bufferyard width standards required for the Neighborhood Commercial ("E") District, as described in Section 6.300.C. Area Requirements. In addition, a transitional height plane of 45 degrees shall apply to portions of a building above 45 feet or 3 stories, whichever is less; measured from the property line of the one- or two-family district. Any portion of a building above 45 feet or 3 stories, whichever is less, shall be set back so that the building does not encroach the transitional height plane; i.e., the portion of a building above 45 feet or 3 stories must be set back an additional foot for each additional foot in height with the plane starting from the property line of the one- or two-family district. This standard is illustrated in Figure 4.3 below. These supplemental building setback and transitional height plane requirements shall not apply to buildings adjacent to one- or two-family districts that serve as public open space, such as parks and drainage ways.

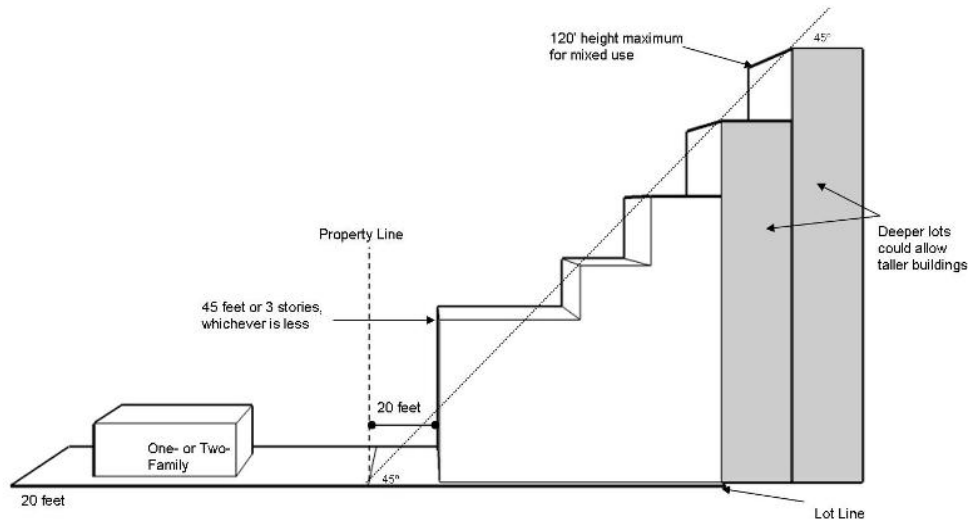


Figure 4.3 . MU-2 Transitional Height Plane

2. **Enhanced Landscaping Point System Requirements.** Enhanced landscaping must earn a minimum of 30 points (20 points in single-family house and urban manor houses with (2) units) that are awarded for providing and maintaining specific landscaping and design features. The points are accumulated as follows:

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
Plaza	5% of net land area. Plaza shall be continuous w/ minimum area not less than 1,000 sq. ft. <i>If 5% of net land area is greater than 2,000 square feet, multiple plazas are permitted.</i>	15
Playground	5% of net land area w/ minimum area not less than 1,000 sq. ft.	15
Community garden	1 pt for every 250 sq. ft. w/ minimum area not less than 1,250 sq. ft.	5-15
Arcades, structural awnings, galleries, balconies or other approved pedestrian shelter	50% of façade facing primary street or 25 linear ft., whichever is greater; 4 ft. minimum depth.	10
Single family front porch	50% of façade facing primary street	10
Enhanced streetscaping	Each 50 ft. segment of street frontage is required to have 2 streetscaping items. Items include but are not limited to benches, trash receptacles, bike racks, and planters using materials appropriate for the adjacent street and approved by the Transportation and Public Works Department.	10
Pedestrian-scaled lighting	1 light post for every 60 ft. of street frontage; style approved by the Transportation and Public Works Department and consistent with other pedestrian lights on the same block.	10
Programmed recreation area	3% of net land area. Programmed recreation areas include but are not limited to chess parks, bocce ball courts, and exercise/yoga facilities.	10
Public art installation	As approved by the Planning and Development Director or	10

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
	designee. Public art installations include but are not limited to pieces of sculpture, murals, and water features planned and executed with the specific intention of being sited or staged in the physical public domain, outside and accessible to all. Materials used are durable and resistant to graffiti and weather.	
Street trees	Required spacing: <ul style="list-style-type: none"> • Small/Medium Canopy 25 – 30 ft. • Large Canopy 35 – 40 ft. 	10
Window awnings, shallow door canopies, or other façade features that are not intended to provide pedestrian shelter (less than 4 ft in depth)	25% of façade facing primary street or 15 linear ft, whichever is greater. Multiple features (i.e. awnings) may add up to the required amount.	5
Programmed sitting area/public outdoor dining area	Minimum 15 seats	5
Proximity to a public park	Within 500 ft	5
Sustainable landscaping	Xeriscaping, on-site stormwater management, rain gardens, bio-swales, etc.	5
Rooftop terrace	Minimum 200 sq. ft.	5
Paved walkway enhancement	1 pt for every additional foot of sidewalk width over the City standard (up to a 15 ft wide sidewalk total)	1-11

- a. Points shall be awarded only one for each feature category, per project.
 - b. Submittal of Landscape Plan. The location and description of decorative paving, sidewalk furniture or other decorative elements, if any, shall be indicated on the landscape plan.
 - c. Landscape Area Required. Section 6.301.H “Landscape Area Required” does not apply to developments in the MU-2 district; except
 - i. All landscaped areas shall be located outside the perimeter of the footprint of a building or structure; protected by wheel stops, curbs or other physical barriers where adjacent to vehicle use areas; and be covered with grass, organic mulch or low maintenance groundcover. (Section 6.301.H.1.b.)
 - ii. Landscaped bioretention areas are encouraged for natural drainage channels to reduce runoff and increase infiltration of water into the soil. (Section 6.301.H.2.b.)
 - iii. When there is a front yard setback of at least five feet, front yard landscaping is required for areas outside the ground level patios, parkways and pedestrian walkways. Front yard landscaping must adhere to the shrub and native plants as listed in Table 6.8, Table A of Section 6.301.H. as well as other applicable regulations described or referenced within the MU-2 regulations.
 - d. Irrigation. An irrigation system shall be installed to provide total water coverage to all plant materials installed pursuant to Section 6.301.I “Irrigation”.
 - e. Miscellaneous Requirements. In addition to required trees and shrubs, all of the required landscape area must be covered with grass, organic mulch, live groundcover, decorative paving, sidewalk furniture or other decorative elements.
- 3. Landscaping in Parking and Driveway Areas.**
- a. Landscape islands, linear landing strips, bio-swales, or rain gardens shall be required in parking lots with 12 or more parking spaces. All landscape islands and strips shall have at least one tree.
 - b. Every parking space is required to be not more than 60 feet from a medium or large canopy tree planted within a median, strip or island measured from the trunk at planting.
 - c. Required size of landscape islands and linear landscaping strips containing trees:
 - i. Within parking lots with non-porous surfaces: 130 square feet; 8 feet minimum width

- ii. Planted in Structural Soil: 64 square feet; 8 feet minimum width. The use of an approved structural soil shall be limited to landscape islands and adjacent walkways and parking areas necessary for proper tree growth. Structural soils shall not be used for fire lanes in parking lots.
- iii. Within parking lots with approved porous surfaces for parking areas excluding fire lanes: 16 square feet. Tree trunks should be protected by wheel stops or other physical barriers excluding curbs.
- iv. Linear landscaping strips are encouraged in lieu of landscaping islands where possible.
- d. Parking lots shall be screened from the public right-of-way with landscaping, berms, fences or walls 36 to 42 inches in height.
- e. Driveways that are located adjacent and parallel to a public street shall be screened from the public right-of-way with landscaping, berms, fences, or walls 36 to 42 inches in height.

F. Façade Design Standards for New Construction. Projects that clearly conform to all façade design standards may be approved administratively by the Planning & Development Director or designee. A waiver from the faced design standards may be granted by the Urban Design Commission (UDC) in accordance with the applicable development principles and standards.

1. Required Drawings – To illustrate compliance with the following standards, elevation drawings shall be submitted to the Planning & Development Department for those building facades that are oriented to:

- a. public streets,
- b. private streets and walkways that are publicly accessible through a public use easement, or
- c. publicly accessible open space.

2. Façade Variation

- a. **Scaling Elements:** Each new building façade oriented to a publicly accessible street or open space shall at a minimum incorporate three or more of the following four scaling elements for building façades greater than 50 ft. in width, and at least two of the following elements for building facades less than 50 ft. in width:
 - i. Expression of building structural elements such as:
 - a) Floors (banding, belt courses, etc. not less than one inch deep and four inches wide),
 - b) Columns (pilasters, piers, quoins, etc. not less than four inches deep and six inches wide), or
 - c) Foundation (water tables, rustication);
 - ii. Variation in wall plane (not less than four inches) through the use of projecting and recessed elements. Such elements could include patterns of door and window openings (and the use of sills, mullions, and other scale providing window elements), and/or more pronounced architectural features, such as porches, alcoves, and roof dormers;
 - iii. Changes in material or material pattern. Each change of material shall involve a minimum one inch variation in wall plane; and
 - iv. Noticeable changes in color or shade.
 - b. New building facades oriented to a publicly accessible street or open space shall include differentiation between the first and second level and the upper levels with a cornice, canopy, balcony, arcade, or other architectural feature.
 - c. If a project consists of more than one block face, each sequential block of new construction shall contain a different building façade to encourage architectural variety within large projects, using the required architectural elements listed in Section a.i. above and/or other architectural features.
 - d. New multifamily residential building facades oriented to a publicly accessible street or open space shall include at least two variations in wall plane per 100 linear feet of street frontage. Variations shall be not less than three feet in depth or projection and not less than two stories in height for multi-story building.
- 3. Fenestration.** New single use commercial and mixed-use building facades fronting on publicly accessible streets or open space shall meet the following requirements:

Fenestration Requirement		
Project Type	Primary Street	Side Street
Mixed-Use or Non-Residential		
Ground Story from 2 feet to 12 feet above grade	60 percent	40 percent
Upper Stories	25 percent	25 percent
Residential		
	None	None

- a. Clear glazing must have a visible transmittance rating of 0.5 or greater to count towards the fenestration requirement.
- b. Fenestration alternatives. The following alternatives may count towards meeting the fenestration requirement and can be used in singular or in combination. If used in combination, they may count no more than 70 percent of the fenestration requirement.

Fenestration Alternatives	
Alternative	Percent towards requirement
Windows at the ground story but outside the 2-12 feet zone	40 percent
Wall mounted or recessed display cases at least 4 feet high	40 percent
Walk-up automated teller machines, video rental or similar kiosk	40 percent
Green screen system, planter walls, or similar vegetation	40 percent
Translucent, fritted, patterned, or color glazing	40 percent
Outdoor dining/seating located between the building and street	60 percent

4. **Building Materials.** Not less than 70 percent of all new building facades (not including door and window areas) facing publicly accessible streets or open space shall be constructed of the following masonry materials: stone, brick, terra cotta, patterned pre-cast concrete, cement plaster stucco, cement board siding, cast stone or prefabricated brick panels.

5. **Building Entries**

- a. Building entrances shall incorporate arcades, roofs, porches, alcoves or awnings that protect pedestrians from the sun and rain.
- b. Primary entrances shall be provided at intervals not to exceed 125 linear feet of street-oriented residential building frontage.
- c. Townhouses and other similar street level dwelling units within multi-unit structures shall have individual street-oriented entries for each unit.
- d. Manor Houses shall have a single primary entrance provided however, that a Manor House with two dwelling units (duplex) may have one primary entrance for each unit. Each primary entrance must be provided under a shared porch or one of the entrances must be accessed from a side façade of the structure.

6. **Parking Structure Façade Standards**

- a. Buildings shall not have exposed structural parking at the ground floor level.
- b. A parking structure façade that faces a public street shall be designed to incorporate contextual architectural elements that complement adjacent buildings or buildings in the area.
- c. Parking structure openings shall not exceed 50 percent of the total ground floor façade.

- G. **Other Development Standards.** Development in the High Intensity Mixed-Use ("MU-2") District shall be subject to the pertinent development standards in Chapter 6, and the following provisions:

1. **Signs.** See Chapter 6, Article 4 for requirements and the following provisions:

- a. In addition to signs allowed in Chapter 6, Article 4, one or more attached project identifier or wayfinding signs may be erected on each façade of the occupied space. The signs may have a total area of 10% of the area of the façade to which the signs are attached, with a maximum aggregate area of 500 square feet per façade. The façade area shall be calculated by multiplying the width times the height, with a maximum calculated height of 15 feet. For structures exceeding 15 feet in height, allowable sign square footage shall be calculated as .75 square feet per linear of building façade.

2. **Residential Design Standards.** Multifamily developments are exempt from the requirements of Section 6.506 "Unified Residential Development".

3. **Outdoor Storage or Display.** Outdoor storage or display requirements for the Intensive Commercial ("G") District shall apply to the High Intensity Mixed-Use ("MU-2") District.

4. **Entrances.** In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principle building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a public parking lot. Secondary entrances from parking lots are permitted. Interior buildings constructed as part of a campus development are exempt from these requirements.

5. **Fences and Gates.** In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private streets or walkways that are publicly accessible through a public use easement, or along publicly accessible open space shall not extend beyond building

facades; i.e., these fences shall not be located in the area between building facades and the property line. Fences not exceeding 4 feet in height, however, may extend beyond the building façade of attached or detached single family house or townhouse developments in mixed-use zoning districts (see '5.305 Fences' B.2. for fence development standards).

6. **Development Standards Applicable to Privately Owned Streets and Drives with Public Access Easements.** Private streets and drives with public access easements shall be considered public streets or rights-of-way for the purposes of review for compliance with setbacks, parking, screening, façade variations, fenestration, and other MU-2 design requirement normally based on streets.

H. Administrative Review Requirements

1. **Conceptual Land Use Plan.** Developers of projects equal to or larger than three acres in size shall submit a conceptual land use plan for approval by the Planning and Development Director. The conceptual land use plan must be approved before a building permit application is accepted by the Planning and Development Department. The Planning and Development Director may require a conceptual land use plan for a project smaller than three acres if the project is part of a development equal to or larger than three acres in size.
 - a. Generally
 1. The conceptual land use plan shall illustrate the proposed location of land uses on the site, using the following land use categories:
 - i. All residential,
 - ii. Commercial,
 - iii. Institutional,
 - iv. Mixed-use buildings (a mix of residential and non-residential within the same building, meeting the percentage requirements defined in subsection (c)(7)b), above or
 - v. Public park.
 2. Parking facilities and private open spaces shall be classified the same as the primary land use they serve.
 - b. Project Test - The conceptual land use plan shall show that the proposed project includes uses within at least two of the land use categories, and that no land use category other than mixed-use buildings occupies greater than 70 percent of the total land area. The land use area percentages shall be calculated using property information obtained from the applicable tax appraisal district. If a development does not comply with this test, then the vicinity test described below shall apply.
 - c. Vicinity Test - Developments in which a single land use other than mixed-use buildings exceeds 70 percent of the site's total land area are permitted if:
 - i. The Planning and Development Director determines that the following conditions are satisfied:
 - a) The proposed land use at any location within the proposed development site must be within a walking distance of 1,000 feet of a different land use, as measured by the shortest pedestrian route, and
 - b) The percentage of any single land use category other than mixed-use buildings within a 1,000-foot radius of any location within the proposed development site shall not be greater than 70 percent of the land area within the radius. The proposed development shall be included in the calculation of this percentage. Or
 - c) Once a project, or portion of a project, is constructed or partially constructed in accordance with the approved Conceptual Land Use Plan, this Vicinity test shall not create legal non-conforming status nor prevent the restoration of a building or buildings destroyed by fire, explosion or other casualty, or act of God, or the public enemy, nor prevent the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction. Subsequent development within the 1,000 ft. radius described in Section b. above shall not affect the approved conceptual land use plan and shall not create legal non-conforming status. Or
 - ii. The Planning and Development Director determines that the developer has demonstrated that unique site conditions (e.g. adjacency to natural features, highways, freight yards, etc.) make compliance with the conditions of section i. above impractical in certain areas of the development site.
2. **Conceptual Site Plan.** In order to facilitate compliance with the mixed-use zoning standards, developers shall submit a conceptual site plan to the Planning and Development Department for administrative review prior to submittal of permit applications for new construction projects. The site plan shall show the anticipated location of proposed streets, sidewalks and walkways, building footprints, parking areas,

landscaped areas and features, and open space.

(Ord. No. 14556, Eff. 03-20-01; 15283, 10/08/02; 15285, 10/08/02; 15927, 03/23/04; 15978, 05/13/04, 16330, 03/08/05; 17024, 06/20/06; 17522, 04/24/07; 19587, 03/08/11; 20159, 05/15/12; 21782, 07/26/15)

4.1303 High Intensity Greenfield Mixed-Use (MU-2G) District

A. Purpose and Intent

1. Purpose

The purpose of the MU-2G zoning classification is to promote pedestrian-oriented, mixed-use development in undeveloped areas designated in the Comprehensive Plan as future mixed-use growth centers. The MU-2G regulations are intended to encourage the development of neighborhood-scale activity centers in which a variety of housing types may exist among neighborhood-serving commercial and institutional uses.

Minimum Development Site Land Area: MU-2G shall only be used for large-scale development sites of at least 100 acres. These development sites of at least 100 acres may include a combination of contiguous MU districts (i.e. MU-1, MU-1G, MU-2, MU-2G, PD/MU). Public rights of way may be included in the calculation of a site's size.

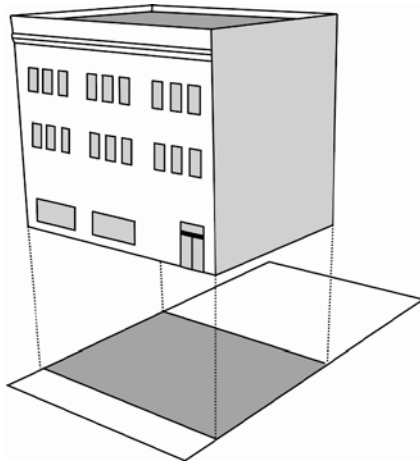
2. Intent Statements

a. General Development Principles

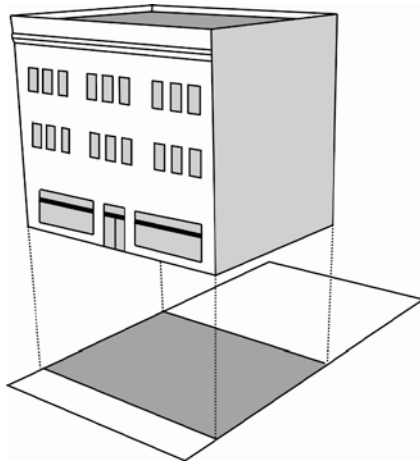
1. **Promote a pedestrian-oriented urban form.** In contrast to conventional zoning standards that place a primary emphasis on the regulation of land uses, mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding area's historic urban character. The focus on form promotes buildings that conform to tested urban design principles.
2. **Require excellence in the design of the public realm and of buildings that front public spaces.** The most successful and memorable urban environments are those in which walking down the street is appealing. Streets, plazas, parks, and other public spaces should be comfortable and inviting, and buildings fronting those spaces should be active and visually interesting at the pedestrian level.
3. **Encourage creativity, architectural diversity, and exceptional design.** Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility. Standards and guidelines, as well as the development review process, are intended to support creativity and exceptional design while discouraging uniformity.
4. **Promote sustainable development that minimizes negative impacts on natural resources.** Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low-density development in peripheral areas. In accordance with sustainable development principles, the mixed-use buildings and public spaces should be designed to minimize negative impacts on air and water quality and promote innovation in environmental design.

- ###### b. Building Types Permitted
- The following building intent statements and illustrations have been provided to demonstrate the recommended building forms in the High Intensity Greenfield Mixed-Use ("MU-2G") District. All intent statements are addressed through development standards set out in Section 4.1303 C through G.

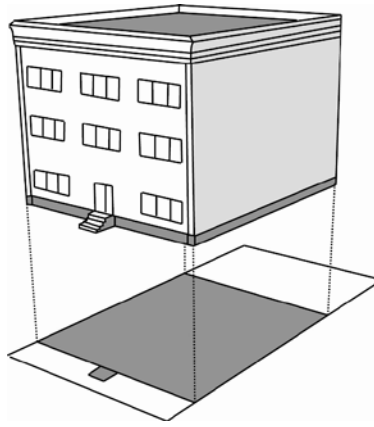
1. **General Commercial:** A development type with nonresidential uses. Ground-story spaces are flexible enough to accommodate a variety of nonresidential uses. Upper stories are used for offices or other types of compatible nonresidential uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary streets are prominent and street-facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground-story space.



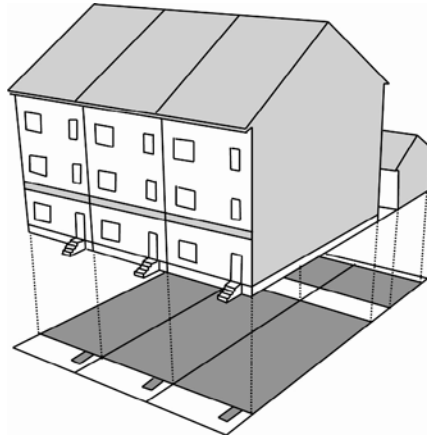
2. **Mixed-Use Shopfront:** A development type with ground-story retail and upper-story residential or office uses. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. No on-site surface parking is permitted between the building and the street. Primary entrances are prominent and street facing. Large storefront windows are provided to encourage interaction between the pedestrian and the ground-story place.



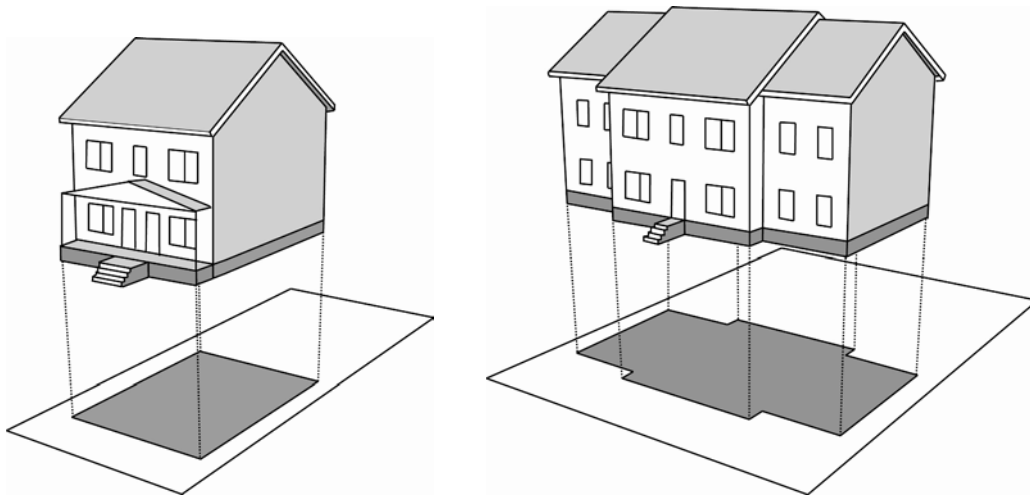
3. **Apartment/Condominiums:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building often shares a common entrance. Primary entrances are prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for an apartment/condominium building is allowed on the side or rear of the building, but the preferred method is at the rear of the building.



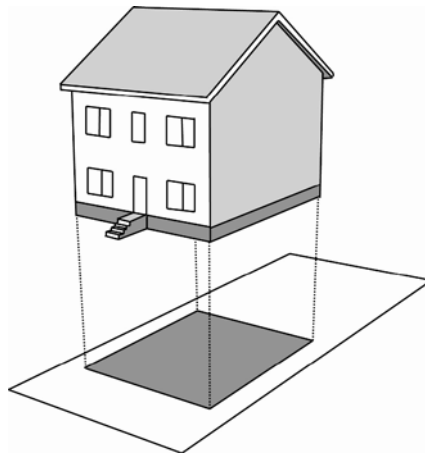
4. **Townhouse:** A building with three or more attached dwelling units consolidated into a single structure. The front of the building is faced on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. A townhouse unit is more than one story in height; however, units should not be vertically mixed. Parking access via a driveway or rear alley is required. An elevated ground floor for residential uses is recommended to ensure privacy.



5. **Urban Manor House:** A development/building with two to five attached dwelling units consolidated in a single structure. A manor house is located on a single lot and contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. The building has the appearance of a conventional single-family house with a single primary entrance except that a manor house with two dwelling units (duplex) may have one primary entrance for each unit provided it meets the requirements of 4.1303 D.8.f.iv. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a manor house is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



- 6. Single-Family House:** The front of the building is placed on, or very close to, the front property line. On corner lots, the building side facing the street is also placed on or near the side property line. An elevated ground floor for residential uses is recommended to ensure privacy. Parking for a single-family home is allowed on the side or rear of the building, but the preferred method is through traditional forms with detached garages at the rear when possible.



B. Uses

In the High Intensity Greenfield Mixed-Use ("MU-2G") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued, except in accordance with the use table in Chapter 4, Article 12, and the supplemental standards of Chapter 5. In the High Intensity Greenfield Mixed-Use ("MU-2G") District, residential, commercial and institutional uses may occupy the same building and lot. All projects must comply with the mix of use requirements described in Section 4.1303.H.1.

One-family detached residential lots shall not exceed 10,000 square feet.

C. Property Development Standards

In the High Intensity Greenfield Mixed-Use ("MU-2G") District, the dimension of yards, the placement of the building, the minimum and maximum height of buildings, the minimum and maximum residential density, and the enhanced landscaping shall be as follows:

1. **General yard development standards:** Development shall be exempt from Chapter 6, Article 1, Sections 6.101B, 6.101C, 6.101E, and 6.101G.
2. **Required street frontage:** The intent of requiring building street frontage is to encourage a more prominent and continuous street wall to promote a multi-model, pedestrian friendly environment while reducing the visual dominance of large surface parking lots.
 - i. **Primary Street:** building facades shall be located within the area between the property line and the maximum setback for a minimum of 70 percent of the primary street frontage of the lot.

- ii. Side Street: applies only to corner lots; building facades shall be located within the area between the property line and the maximum setback for a minimum of 30 percent of the side street frontage of the lot.
 - iii. Required street frontage shall apply only to the ground floor of the building.
 - iv. Required street frontage alternatives: These alternatives may count towards a portion of the required street frontage for the building, when meeting the following standards;
 - i. Arcades: 100%
 - ii. Residential garden court: 40%
 - iii. Outdoor seating: 40%
 - iv. Plaza: 40%
- 3. Front yard:** 20 feet maximum setback, with the following provisions:
- a. Campus developments: Interior buildings constructed as part of a campus development may be set back from the property line more than 20 feet if at least 50 percent of the public street frontage on each block face within the development contains buildings within the maximum setback of 20 feet. Interior buildings set back farther than 20 feet may not be constructed unless and until this 50 percent requirement has been satisfied.
 - b. Buildings may exceed the maximum 20-foot setback if angled, perpendicular, or parallel parking on private property meets the conditions of Section 4.1303.D.4.e. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line, and the setback shall be no greater than 20 feet.
 - c. Buildings on corner lots are required to meet the front yard maximum setback on primary and side streets.
 - d. To allow convenient access to parking from the front entrances of large retail buildings greater than 50,000 square feet, the building side of any internal street with a public access easement may serve as the line from which the setback is measured. The total ground floor area of buildings utilizing this exception, however, shall constitute no more than 50 percent of the total ground floor area of buildings shown on the conceptual site plan.
Note: A campus development is defined as a unified group of buildings and/or facilities located on a contiguous parcel(s) and operated as a place of worship, school, or hospital.
- 4. Rear yard:** 5 feet minimum setback.
- 5. Side yard:** Setbacks are required when an abutting property with an existing building has windows facing to the side. Then, any new development or addition shall provide at least 10 feet of separation between the existing and new building.
Note: Additional setback conditions are included in Section 4.1303.G. Other Development Standards.
- 6. Minimum Height:** Two (2) stories consisting of a minimum of 18 feet.
Note: Development in the High Intensity Greenfield Mixed-Use ("MU-2G") District is exempt from Section 6.100. Minimum building height for all uses shall be measured from the top of the finished slab to top of the highest wall façade. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.
- 7. Maximum Height:**
- a. 60 feet, or 5 stories, whichever is less; or
 - b. 120 feet or 10 stories, whichever is less, if:
 - i. Residential uses constitute 20 percent or more of a building's gross floor area, and
 - ii. Office, eating and entertainment, and/or retail sales and service use constitute 10 percent or more of the building's gross floor area.
Note: Development in the High Intensity Mixed-Use ("MU-2") District is exempt from Section 6.100. Building height for all uses shall be measured from the top of the finished slab at grade level to the top of the highest wall top plate. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height, as described in Section 6.100.5.
Stealth Telecommunication Towers are permitted to a height of 75 feet. The Urban Design Commission must approve the design of all Stealth Telecommunication Towers.
Telecommunication Towers are permitted to a height of 60 feet as a Special Exception approved by the Board of Adjustment.
- 8. Minimum residential units per acre:** None; except when a residential or mixed use project is located within 1,320 feet of an entrance to an existing or approved passenger rail station or stop: 50

9. Maximum residential units per acre:

- a. 70; or
- b. No limit if the project includes office, eating and entertainment, and/or retail sales and service uses that constitute at least 10 percent of gross floor area.

D. Off-Street Parking and Loading.**1. Commercial and Mixed-Use Parking Table:**

Location	Requirement as a percentage of parking requirement listed in Section 6.201B	
	Minimum	Maximum
Project not located within 250 feet of One or Two Family zoned property	None	100 percent
Project located within 250 feet of One or Two Family zoned property	75 percent	100 percent
and within 1,000 feet of an entrance to an existing or approved passenger rail station or stop	50 percent	100 percent

2. Residential Parking Table:

Building Type/Use	Requirement
Single Family	2 parking spaces located behind the front of the building line per dwelling unit.
Townhouse	2 parking spaces per dwelling unit are required at the rear of the primary structure and accessed via a driveway or rear alley.
Manor house (duplex)	2 spaces per dwelling unit plus 1 space per bedroom over three (3) bedrooms per dwelling unit all located behind the front building line
Manor house (apartment) and Apartment/Condominium	0.75 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage)
On-street parking along the lot frontage may be applied toward the minimum parking requirements, but shall not reduce the applicable maximum parking limitations.	If the development is within 1,320 feet of a rail transit station 0.5 to 1 off-street spaces required per bedroom, located behind the front building line* Plus 1 space per 250 square feet of common areas, offices and recreation (less laundry rooms and storage) *All partial spaces are rounded up.

3. Bicycle Parking: See Section 6.204**4. Other Off-Street Parking and Loading Standards**

- a. The required off-street parking for any use may be located off-site, on property within 500 feet of the subject site.
- b. Adjacent on-street parking may be applied toward the minimum parking requirements, but shall not reduce the pertinent maximum parking limitations.

- c. For mixed-use buildings and projects the total parking requirement shall be the sum of the individual requirements for all uses. A joint use parking agreement, if executed according to the standards set forth in section d below, would allow a reduction in the total requirement for the mixed-use building or project.
- d. Joint use parking facilities may be used to meet minimum parking requirements. The total number of spaces shall not exceed the sum of the maximum spaces allowed for all individual uses sharing the facility. Joint use of required parking spaces may occur where two or more uses on the same site or on separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the Planning and Development Department as part of the building permit application or site plan review:
 - i. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - ii. The location and number of parking spaces that are being shared;
 - iii. An analysis showing that the peak parking demands for the different uses occur at different times, and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking times; and,
 - iv. A legal instrument such as an easement or deed restriction that guarantees access to the joint parking for all uses.
- e. Surface parking shall not be permitted between a building front and the street, except that angled, perpendicular, or parallel parking that is designed to function as on-street parking shall be permitted if it meets the following three conditions:
 - i. The City's Traffic Engineer determines that the parking does not adversely affect public safety or circulation and satisfies the conditions described in Section 22-175d of the City Code,
 - ii. Each parking space is located adjacent to and is directly accessible from a public street or publically accessible private street, and
 - iii. Surface parking permitted between a building front and the street (on-street parking) and the required pedestrian walkway shall be either dedicated as public right-of-way or be included in a public access easement recorded in the real property records of the county. In these situations, the front yard setback shall be measured from the front of the parking space instead of the property line and the setback shall be no greater than 20 feet.
- f. Uses located in historically significant buildings shall be exempt from off-street parking requirements. For the purposes of this exemption, historically significant buildings shall include those determined by the Historic Preservation Officer to be eligible, based on the applicable criteria, for:
 - i. Listing in the National Register of Historic Places; or
 - ii. Local designation as either Historic and Cultural Landmark ("HC") or Highly Significant Endangered ("HSE").
- g. These requirements supersede the parking requirements of Section 6.201B. All other requirements of Chapter 6, Article 2 apply.

E. Landscaping and Buffers. The requirements of Chapter 6, Article 3 apply, with the following provisions.

1. Bufferyard and Supplemental Building Setback.

- a. For the purposes of this section, the High Intensity Greenfield Mixed-Use ("MU-2G") District shall be considered a nonresidential district.
- b. A bufferyard and supplemental building setback are not required between the boundary of a one- or two-family development within the High Intensity Greenfield Mixed-Use ("MU-2G") District and an adjacent one- or two-family district.
- c. All uses, other than one- or two-family adjacent to one- and two-family districts, shall conform to the supplemental building setback and bufferyard width standards required for the Neighborhood Commercial ("E") District, as described in Section 6.300.C. Area Requirements. In addition, a transitional height plane of 45 degrees shall apply to portions of a building above 45 feet or 3 stories, whichever is less; measured from the property line of the one- or two-family district. Any portion of a building above 45 feet or 3 stories, whichever is less, shall be set back so that the building does not encroach the transitional height plane; i.e., the portion of a building above 45 feet or 3 stories must be set back an additional foot for each additional foot in height with the plane starting from the property line of the one- or two-family district. This standard is illustrated in Figure 4.4below. These supplemental building setback and transitional height plane requirements shall not apply to buildings adjacent to one- or two-family districts that serve as public open space, such as parks and drainage ways.

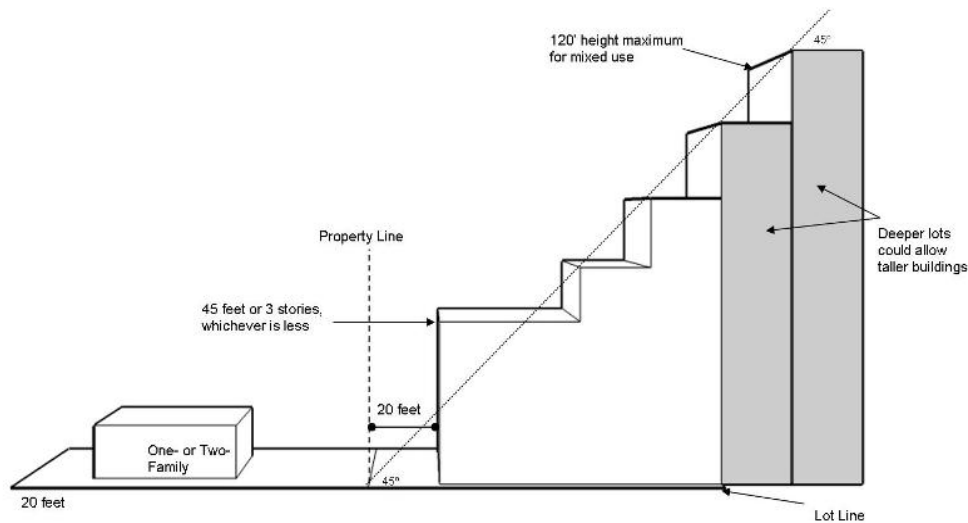


Figure 4.4. MU-2G Transitional Height Plane

- 2. Enhanced Landscaping Point System Requirements.** Enhanced landscaping must earn a minimum of 30 points (20 points in single-family house and urban manor houses with (2) units) that are awarded for providing and maintaining specific landscaping and design features. The points are accumulated as follows:

Enhanced Landscaping System – 30 points required (20 points in single-family houses and urban manor houses with (2) units)		
Feature	Requirement or example items	Points Awarded
Plaza	5% of net land area. Plaza shall be continuous w/ minimum area not less than 1,000 sq. ft. <i>If 5% of net land area is greater than 2,000 square feet, multiple plazas are permitted.</i>	15
Playground	5% of net land area w/ minimum area not less than 1,000 sq. ft.	15
Community garden	1 pt for every 250 sq. ft. w/ minimum area not less than 1,250 sq. ft.	5-15
Arcades, structural awnings, galleries, balconies or other approved pedestrian shelter	50% of façade facing primary street or 25 linear ft., whichever is greater; 4 ft. minimum depth.	10
Single family front porch	50% of façade facing primary street	10
Enhanced streetscaping	Each 50 ft. segment of street frontage is required to have 2 streetscaping items. Items include but not are not limited to benches, trash receptacles, bike racks, and planters using materials appropriate for the adjacent street and approved by the Transportation and Public Works Department.	10
Pedestrian-scaled lighting	1 light post for every 60 ft. of street frontage; style approved by the Transportation and Public Works Department and consistent with other pedestrian lights on the same block.	10
Programmed recreation area	3% of net land area. Programmed recreation areas include but are not limited to chess parks, bocce ball	10

	courts, and exercise/yoga facilities.	
Public art installation	As approved by the Planning and Development Director or designee. Public art installations include but are not limited to pieces of sculpture, murals, and water features planned and executed with the specific intention of being sited or staged in the physical public domain, outside and accessible to all. Materials used are durable and resistant to graffiti and weather.	10
Street trees	Required spacing: <ul style="list-style-type: none"> • Small/Medium Canopy 25 – 30 ft. • Large Canopy 35 – 40 ft. 	10
Window awnings, shallow door canopies, or other façade features that are not intended to provide pedestrian shelter (less than 4 ft in depth)	25% of façade facing primary street or 15 linear ft, whichever is greater. Multiple features (i.e. awnings) may add up to the required amount.	5
Programmed sitting area/public outdoor dining area	Minimum 15 seats	5
Proximity to a public park	Within 500 ft	5
Sustainable landscaping	Xeriscaping, on-site stormwater management, rain gardens, bio-swales, etc.	5
Rooftop terrace	Minimum 200 sq. ft.	5
Paved walkway enhancement	1 pt for every additional foot of sidewalk width over the City standard (up to a 15 ft wide sidewalk total)	1-11

- a. Points shall be awarded only one for each feature category, per project.
- b. Submittal of Landscape Plan. The location and description of decorative paving, sidewalk furniture or other decorative elements, if any, shall be indicated on the landscape plan.
- c. Landscape Area Required. Section 6.301.H “Landscape Area Required” does not apply to developments in the MU-2G district; except
 - i. All landscaped areas shall be located outside the perimeter of the footprint of a building or structure; protected by wheel stops, curbs or other physical barriers where adjacent to vehicle use areas; and be covered with grass, organic mulch or low maintenance groundcover. (Section 6.301.H.1.b.)
 - ii. Landscaped bioretention areas are encouraged for natural drainage channels to reduce runoff and increase infiltration of water into the soil. (Section 6.301.H.2.b.)
 - iii. When there is a front yard setback of at least five feet, front yard landscaping is required for areas outside the ground level patios, parkways and pedestrian walkways. Front yard landscaping must adhere to the shrub and native plants as listed in Table 6.8, Table A of Section 6.301.H. as well as other applicable regulations described or referenced within the MU-2G regulations.
- d. Irrigation. An irrigation system shall be installed to provide total water coverage to all plant materials installed pursuant to Section 6.301.I “Irrigation”.
- e. Miscellaneous Requirements. In addition to required trees and shrubs, all of the required landscape area must be covered with grass, organic mulch, live groundcover, decorative paving, sidewalk furniture or other decorative elements.

3. Landscaping in Parking and Driveway Areas.

- a. Landscape islands, linear landing strips, bio-swales, or rain gardens shall be required in parking lots with 12 or more parking spaces. All landscape islands and strips shall have at least one tree.
- b. Every parking space is required to be not more than 60 feet from a medium or large canopy tree planted within a median, strip or island measured from the trunk at planting.
- c. Required size of landscape islands and linear landscaping strips containing trees:
 - i. Within parking lots with non-porous surfaces: 130 square feet; 8 feet minimum width
 - ii. Planted in Structural Soil: 64 square feet; 8 feet minimum width. The use of an approved structural soil shall be limited to landscape islands and adjacent walkways and parking areas necessary for proper tree growth. Structural soils shall not be used for fire lanes in parking lots.

- iii. Within parking lots with approved porous surfaces for parking areas excluding fire lanes: 16 square feet. Tree trunks should be protected by wheel stops or other physical barriers excluding curbs.
- iv. Linear landscaping strips are encouraged in lieu of landscaping islands where possible.
- d. Parking lots shall be screened from the public right-of-way with landscaping, berms, fences or walls 36 to 42 inches in height.
- e. Driveways that are located adjacent and parallel to a public street shall be screened from the public right-of-way with landscaping, berms, fences, or walls 36 to 42 inches in height.

F. Façade Design Standards for New Construction. Projects that clearly conform to all façade design standards may be approved administratively by the Planning & Development Director or designee. A waiver from the faced design standards may be granted by the Urban Design Commission (UDC) in accordance with the applicable development principles and standards.

Large Retail Stores – Large retail stores greater than 50,000 square feet are exempt from the regulations of this section 8 “Façade Design Standards for New Construction,” but shall conform to the design standards for large retail stores listed in Section 5.134 of the Zoning Ordinance.

- 1. Required Drawings** – To illustrate compliance with the following standards, elevation drawings shall be submitted to the Planning & Development Department for those building facades that are oriented to:
 - a. public streets,
 - b. private streets and walkways that are publicly accessible through a public use easement, or
 - c. publicly accessible open space.
- 2. Façade Variation**
 - a. **Scaling Elements:** Each new building façade oriented to a publicly accessible street or open space shall at a minimum incorporate three or more of the following four scaling elements for building façades greater than 50 ft. in width, and at least two of the following elements for building facades less than 50 ft. in width:
 - i. Expression of building structural elements such as:
 - a. Floors (banding, belt courses, etc. not less than one inch deep and four inches wide),
 - b. Columns (pilasters, piers, quoins, etc. not less than four inches deep and six inches wide), or
 - c. Foundation (water tables, rustication);
 - ii. Variation in wall plane (not less than four inches) through the use of projecting and recessed elements. Such elements could include patterns of door and window openings (and the use of sills, mullions, and other scale providing window elements), and/or more pronounced architectural features, such as porches, alcoves, and roof dormers;
 - iii. Changes in material or material pattern. Each change of material shall involve a minimum one inch variation in wall plane; and
 - iv. Noticeable changes in color or shade.
 - b. New building facades oriented to a publicly accessible street or open space shall include differentiation between the first and second level and the upper levels with a cornice, canopy, balcony, arcade, or other architectural feature.
 - c. If a project consists of more than one block face, each sequential block of new construction shall contain a different building façade to encourage architectural variety within large projects, using the required architectural elements listed in Section a.i. above and/or other architectural features.
 - d. New multifamily residential building facades oriented to a publicly accessible street or open space shall include at least two variations in wall plane per 100 linear feet of street frontage. Variations shall be not less than three feet in depth or projection and not less than two stories in height for multi-story building.
- 3. Fenestration.** New single use commercial and mixed-use building facades fronting on publicly accessible streets or open space shall meet the following requirements:

Fenestration Requirement		
Project Type	Primary Street	Side Street
Mixed-Use or Non-Residential		
Ground Story from 2 feet to 12 feet above grade	60 percent	40 percent
Upper Stories	25 percent	25 percent
Residential		
	None	None

- a. Clear glazing must have a visible transmittance rating of 0.5 or greater to count towards the fenestration requirement.
- b. Fenestration alternatives. The following alternatives may count towards meeting the fenestration requirement and can be used in singular or in combination. If used in combination, they may count no more than 70 percent of the fenestration requirement.

Fenestration Alternatives	
Alternative	Percent towards requirement
Windows at the ground story but outside the 2-12 feet zone	40 percent
Wall mounted or recessed display cases at least 4 feet high	40 percent
Walk-up automated teller machines, video rental or similar kiosk	40 percent
Green screen system, planter walls, or similar vegetation	40 percent
Translucent, fritted, patterned, or color glazing	40 percent
Outdoor dining/seating located between the building and street	60 percent

4. **Building Materials.** Not less than 70 percent of all new building facades (not including door and window areas) facing publicly accessible streets or open space shall be constructed of the following masonry materials: stone, brick, terra cotta, patterned pre-cast concrete, cement plaster stucco, cement board siding, cast stone or prefabricated brick panels.

5. **Building Entries**

- a. Building entrances shall incorporate arcades, roofs, porches, alcoves or awnings that protect pedestrians from the sun and rain.
- b. Primary entrances shall be provided at intervals not to exceed 125 linear feet of street-oriented residential building frontage.
- c. Townhouses and other similar street level dwelling units within multi-unit structures shall have individual street-oriented entries for each unit.
- d. Manor Houses shall have a single primary entrance provided however, that a Manor House with two dwelling units (duplex) may have one primary entrance for each unit. Each primary entrance must be provided under a shared porch or one of the entrances must be accessed from a side façade of the structure.

6. **Parking Structure Façade Standards**

- a. Buildings shall not have exposed structural parking at the ground floor level.
- b. A parking structure façade that faces a public street shall be designed to incorporate contextual architectural elements that complement adjacent buildings or buildings in the area.
- c. Parking structure openings shall not exceed 50 percent of the total ground floor façade.

- G. **Other Development Standards.** Development in the High Intensity Greenfield Mixed-Use ("MU-2G") District shall be subject to the pertinent development standards in Chapter 6, and the following provisions:

1. **Signs.** See Chapter 6, Article 4 for requirements and the following provisions:

- a. In addition to signs allowed in Chapter 6, Article 4, one or more attached project identifier or wayfinding signs may be erected on each façade of the occupied space. The signs may have a total area of 10% of the area of the façade to which the signs are attached, with a maximum aggregate area of 500 square feet per façade. The façade area shall be calculated by multiplying the width times the height, with a maximum calculated height of 15 feet. For structures exceeding 15 feet in height, allowable sign square footage shall be calculated as .75 square feet per linear of building façade.

2. **Residential Design Standards.** Multifamily developments are exempt from the requirements of Section 6.506 "Unified Residential Development".

3. **Outdoor Storage or Display.** Outdoor storage or display requirements for the Intensive Commercial ("G") District shall apply to the High Intensity Greenfield Mixed-Use ("MU-2G") District.

4. **Entrances.** In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principle building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a public parking lot. Secondary entrances from parking lots are permitted. Interior buildings constructed as part of a campus development are exempt from these requirements.

5. **Fences and Gates.** In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private streets or walkways that are publicly accessible through a public use easement, or along publicly accessible open space shall not extend beyond building

facades; i.e., these fences shall not be located in the area between building facades and the property line. Fences not exceeding 4 feet in height, however, may extend beyond the building façade of attached or detached single family house or townhouse developments in mixed-use zoning districts (see '5.305 Fences' B.2. for fence development standards).

6. **Development Standards Applicable to Privately Owned Streets and Drives with Public Access Easements.** Private streets and drives with public access easements shall be considered public streets or rights-of-way for the purposes of review for compliance with setbacks, parking, screening, façade variations, fenestration, and other MU-2G design requirement normally based on streets.

H. Administrative Review Requirements

1. **Conceptual Land Use Plan.** Developers of projects equal to or larger than three acres in size shall submit a conceptual land use plan for approval by the Planning and Development Director. The conceptual land use plan must be approved before a building permit application is accepted by the Planning and Development Department. The Planning and Development Director may require a conceptual land use plan for a project smaller than three acres if the project is part of a development equal to or larger than three acres in size.
 - a. Generally
 1. The conceptual land use plan shall illustrate the proposed location of land uses on the site, using the following land use categories:
 - i. All residential,
 - ii. Commercial,
 - iii. Institutional,
 - iv. Mixed-use buildings (a mix of residential and non-residential within the same building, meeting the percentage requirements defined in subsection (c)(7).b), above or
 - v. Public park.
 2. Parking facilities and private open spaces shall be classified the same as the primary land use they serve.
 - b. Project Test - The conceptual land use plan shall show that the proposed project includes uses within at least two of the land use categories, and that no land use category other than mixed-use buildings occupies greater than 70 percent of the total land area. The land use area percentages shall be calculated using property information obtained from the applicable tax appraisal district. If a development does not comply with this test, then the vicinity test described below shall apply.
 - c. Vicinity Test - Developments in which a single land use other than mixed-use buildings exceeds 70 percent of the site's total land area are permitted if:
 - i. The Planning and Development Director determines that the following conditions are satisfied:
 - a) The proposed land use at any location within the proposed development site must be within a walking distance of 1,000 feet of a different land use, as measured by the shortest pedestrian route, and
 - b) The percentage of any single land use category other than mixed-use buildings within a 1,000-foot radius of any location within the proposed development site shall not be greater than 70 percent of the land area within the radius. The proposed development shall be included in the calculation of this percentage. Or
 - c) Once a project, or portion of a project, is constructed or partially constructed in accordance with the approved Conceptual Land Use Plan, this Vicinity test shall not create legal non-conforming status nor prevent the restoration of a building or buildings destroyed by fire, explosion or other casualty, or act of God, or the public enemy, nor prevent the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction. Subsequent development within the 1,000 ft. radius described in Section b. above shall not affect the approved conceptual land use plan and shall not create legal non-conforming status. Or
 - ii. The Planning and Development Director determines that the developer has demonstrated that unique site conditions (e.g. adjacency to natural features, highways, freight yards, etc.) make compliance with the conditions of section i. above impractical in certain areas of the development site.
2. **Conceptual Site Plan.** In order to facilitate compliance with the mixed-use zoning standards, developers shall submit a conceptual site plan to the Planning and Development Department for administrative review prior to submittal of permit applications for new construction projects. The site plan shall show the anticipated location of proposed streets, sidewalks and walkways, building footprints, parking areas,

landscaped areas and features, and open space.

(Ord. No. 16521, Eff. 07/19/05; 17024, 06/20/06; 17522, 04/24/07; 19587, 03/08/11; 20159, 05/15/12; 21782, 07/26/15)

4.1304 Trinity Uptown ("TU") District

A. Purpose and Intent

It is the purpose of the Trinity Uptown ("TU") District to provide a specific mixed-use development zone that encourages pedestrian-oriented, urban development in the Trinity Uptown area, and to provide development standards and administrative procedures that encourage high-quality, sustainable development and creative design.

B. Uses

In the Trinity Uptown ("TU") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued, except in accordance with the use tables and supplemental standards contained in Section G of the document "Trinity Uptown District Development Standards and Guidelines" an adopted supplement to the City's Zoning Ordinance.

C. Property Development Standards

The minimum dimension of lots and yards and the height of buildings in the Trinity Uptown ("TU") District, shall be as shown in the accompanying table. Development in this district shall be exempt from all other zoning ordinance regulations not contained within the accompanying table or the document "Trinity Uptown Development Standards and Guidelines."

The development standards may only be applied to that area known as the Trinity Uptown District of Fort Worth boundary described as follows and shown in [Exhibit B.17](#):

A parcel of land out of the A. Gouehenant Survey, Abstract No. 582, the M. Baugh Survey, Abstract No. 106, the J. Baugh Survey, Abstract No. 115, the F. G. Mulliken Survey, Abstract No. 1045, and the A. Robinson Survey, Abstract No. 1289, in Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerlines of Commerce Street and Weatherford Street;

THENCE with the centerline of Weatherford Street, North 60 degrees East, 270 feet to its intersection with the centerline of Calhoun Street;

THENCE with the centerline of Calhoun Street, North 30 degrees West, 280 feet to its intersection with the centerline of Belknap Street;

THENCE with the centerline of Belknap Street, North 60 degrees East, 780 feet to its intersection with the centerline of Pecan Street;

THENCE with the centerline of Pecan Street, North 30 degrees West, 270 feet to its intersection with the centerline of Bluff Street;

THENCE with the centerline of Bluff Street, South 60 degrees West, 97 feet to its intersection with the extension of the southwesterly property line of Lot 4R, Block 1 of Trinity Bluff, being an addition to the City of Fort Worth according to the plat recorded in Cabinet B, Slide 3356 of the Plat Records of Tarrant County, Texas (P.R.T.C.T.);

THENCE Northwesterly with the extension of the said southwesterly property line to its intersection with the centerline of the West Fork of the Trinity River;

THENCE Northerly with the meanders of said river centerline to its intersection with the south right-of-way line of Greer Street projected west;

THENCE Easterly, to and along the south right-of-way line of the said Greer Street, to its intersection with the east property line of Lot 5 of S. Terrell Addition, being an addition to the City of Fort Worth according to the plat recorded in Volume 1624, Page 274 of the Deed Records of Tarrant County, Texas, (D.R.T.C.T.), extended south;

THENCE Northerly, to and along the east property line of the said Lot 5, to the northeast property corner of the said Lot 5;

THENCE Northerly to the southeast corner of the Baldemar Lane street right-of-way;

THENCE Northerly, along the east right-of-way line of the said Baldemar Lane and then along the said right-of-way line extended north to the southeast property corner of Lot 9-RB of North Park Business Center, being an addition to the City of Fort Worth according to the plat recorded in Volume 388-124, Page 77 of the (P.R.T.C.T.);

THENCE Northerly, along the east property line of the said Lot 9-RB to a point on the north property line of Lot 2 of Holloway's Addition, being an addition to the City of Fort Worth according to the plat recorded in Volume 1530, Page 373 of the (D.R.T.C.T.);

THENCE Easterly, along the north property line of the said Lot 2 to a point on the west right-of-way line of Samuels Avenue;

THENCE Northerly, along the west right-of-way line of said Samuels Avenue to its intersection with the south right-of-way line of North Park Drive;

THENCE Westerly, along the south right-of-way line of North Park Drive, to the northwest property corner of Lot 10-RA of the said Northpark Business Center Addition, said point also being on the east right-of-way line of an existing 75 foot wide Texas Electric Service Co. right-of-way (T.E.S.Co. R.O.W.);

THENCE Southerly, along the east right-of-way line of the said T.E.S.Co. R.O.W. to the southwest property corner of the said Lot 10-RA;

THENCE Northwesterly, to the southeast property corner of Lot 11-A of Northpark Business Center, being an addition to the City of Fort Worth according to the plat recorded in Volume 388-218, Page 37 of the (P.R.T.C.T.);

THENCE Northerly, along the west right-of-way line of said T.E.S.Co. R.O.W. to its intersection with the southwest right-of-way line of North Park Drive;

THENCE Northwesterly, along the southwest right-of-way line of said North park Drive to the northwest property corner of Lot 11-B of the said Northpark Business Center Addition;

THENCE South 10 degrees 08 minutes West, 1043 feet to a point in the centerline of the West Fork of the Trinity River;

THENCE North, 61 degrees 53 minutes 19 seconds West, with the said river centerline, 320.55 feet to a point;

THENCE North, 42 degrees 28 minutes 14 seconds West, with the said river centerline, 704.18 feet to a point at the beginning of a curve to the left having a radius of 183.55 feet;

THENCE in the westerly direction along the said curve through an arc length of 320.21 feet and across a chord which bears South 82 degrees 47 minutes 01 seconds West 281.12 feet to point on the centerline of the proposed Trinity River by-pass channel;

THENCE Southerly, along the centerline of the said proposed Trinity River by-pass channel to its intersection with the centerline of the Clear Fork of the Trinity River;

THENCE Northeasterly, along the centerline of the said Clear Fork of the Trinity River, 1126.42 feet to a point;

THENCE South 29 degrees 52 minutes 13 seconds east 346.15 feet to a point;

THENCE South 85 degrees 07 minutes 25 seconds East 348.96 feet to a point;

THENCE North 59 degrees 20 minutes 26 seconds East to the centerline of Lexington Street;

THENCE Southeasterly, along the centerline of said Lexington Street to its intersection with the centerline of Bluff Street;

THENCE Northeasterly, along the centerline of Bluff Street to its intersection with the centerline of Henderson Street;

THENCE North 30 degrees 11 minutes 24 seconds West, along the centerline of Henderson Street, at 249.16 feet passing the intersection of the centerline of Peach Street extended, continuing in all a total distance of 317.61 feet to a point;

THENCE North 58 degrees 46 minutes 38 seconds East 254.82 feet to a point;

THENCE North 30 degrees 20 minutes 09 seconds West 46.79 feet to a point;

THENCE North 20 degrees 59 minutes 49 seconds West 629.42 feet to a point in the centerline of proposed Lexington Street;

THENCE Easterly, with the centerline of proposed Lexington Street to its intersection with the centerline of North Main Street;

THENCE South 30 degrees 24 minutes 58 seconds East, along the centerline of North Main Street 326.66 feet to a point;

THENCE North 60 degrees 12 minutes 03 seconds East 321.00 feet to the centerline of Commerce Street;

THENCE Southeasterly, with the centerline of Commerce Street to the **Point of Beginning**.

Core Zones are more particularly described as follows:

Urban Lake Zones (UL)

UL 3 West (UL3)

A parcel of land out of the A. Gouehenant Survey, Abstract No. 582, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of 5th Street and the centerline of Street 12;

THENCE Northeasterly along the said centerline of 5th Street to the centerline of Street 11;

THENCE Southeasterly along the said centerline of Street 11 to the centerline of proposed Canal "B";

THENCE Southwesterly along the said centerline of proposed Canal "B" to the centerline of West Fork of the Trinity River;

THENCE Northwesterly along the said centerline of the West Fork of the Trinity River to the centerline of proposed Canal "A";

THENCE Southwesterly along the said centerline of proposed Canal "A" to the said centerline of Street 12;

THENCE Northwesterly along the said centerline of Street 12 to the **Point of Beginning**.

East (UL3)

A parcel of land out of the A. Gouehenant Survey, Abstract No. 582, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of 5th Street and the centerline of Street 12;
THENCE Northeasterly along the said centerline of 5th Street to the centerline of Street 11;
THENCE Southeasterly along the said centerline of Street 11 to the centerline of proposed Canal "B";
THENCE Southwesterly along the said centerline of proposed Canal "B" to the centerline of the West Fork of the Trinity River;
THENCE Northwesterly along the said centerline of West Fork of the Trinity River to the centerline of proposed Canal "A";
THENCE Southwesterly along the said centerline of proposed Canal "A" to the said centerline of Street 12;
THENCE Northwesterly along the said centerline of Street 12 to the ***Point of Beginning***.

UL-2

A parcel of land out of the M. Baugh Survey, Abstract No. 582, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of North Main Street and the centerline of proposed canal "B";
THENCE Southeasterly along the said centerline of Main Street to the centerline of the West Fork of the Trinity River;
THENCE Westerly along the said centerline of the West Fork of the Trinity River to the centerline of the Clear Fork of the Trinity River;
THENCE Southwesterly along the said centerline of Clear Fork of the Trinity River to the centerline of Street 13;
THENCE Northwesterly along the said centerline of Street 13 to the centerline of proposed Canal "A";
THENCE Northeasterly along the said centerline of Canal "A" to the said centerline of the West Fork of the Trinity River;
THENCE Southeasterly along the said centerline of the West Fork of the Trinity River to the said centerline of proposed Canal "B";
THENCE Northeasterly along the said centerline of Canal "B" to the said centerline of the ***Point of Beginning***.

UL-1

A parcel of land out of the A. Robinson Survey, Abstract No. 1289, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of Henderson Street and the centerline of proposed Lexington Street North;
THENCE Easterly along the said centerline of Lexington Street 516.11 feet to a point;
THENCE South 20 degrees 59 minutes 49 seconds east 629.42 feet to a point;
THENCE South 30 degrees 20 minutes 09 seconds East 46.79 feet to a point;
THENCE South 58 degrees 46 minutes 38 seconds West 254.82 feet to the centerline of Henderson Street;
THENCE Northwesterly along the said centerline of Henderson Street to the ***Point of Beginning***.

North Main (NM)

A parcel of land out of the Felix G. Mulliken Survey, Abstract No. 1045, A. Gouenant Survey, Abstract No. 582, Tarrant County, Texas, being more particularly described by metes and bounds as follows: BEGINNING at the intersection of the centerline of 7th Street and the centerline of Street 10;
THENCE Northeasterly along the said centerline of 7th Street to the centerline of Commerce Street; THENCE Southeasterly along the said centerline of Commerce Street to the centerline of proposed Canal "B";
THENCE Southwesterly along the said centerline of proposed Canal "B" to the centerline of Street 11;
THENCE Northwesterly along the said centerline of Street 11 to the centerline of 5th Street; THENCE Northeasterly along the said centerline of 5th Street to the said centerline of Street 10; THENCE Northwesterly along the said centerline of Street 10 to the ***Point of Beginning***.

Neighborhood Tower Zones N3**South (N3)**

A parcel of land out of the R. Crowley Survey, Abstract No. 313, and the W. Russell Survey, Abstract No. 151, Tarrant County, Texas, being more particularly described by metes and bounds as follows: BEGINNING at the intersection of the centerline of Henderson Street and the centerline of proposed Canal "A";
THENCE Southerly along the said centerline of proposed Canal "A" to the centerline of the Clear Fork of the Trinity River;
THENCE Southwesterly along the said centerline of the Clear Fork of the Trinity River to the centerline of the proposed Trinity River by-pass channel;
THENCE Northerly along the said centerline of the by-pass channel to the said centerline of Henderson Street;
THENCE Southeasterly along the said centerline of Henderson Street to the ***Point of Beginning. North***

(N3)

A parcel of land out of the Felix G. Mulliken Survey, Abstract No. 1045, Tarrant County, Texas, being more particularly described by metes and bound as follows:

BEGINNING at the intersection of the centerline of the proposed 7th Street and the centerline of the west Fork of the Trinity River;

THENCE Southwesterly along the said centerline of proposed Canal "D" to the centerline of 6th Street;

THENCE southeasterly along the said centerline of proposed Canal "D" to the centerline of 6th Street;

THENCE Southwesterly along the said centerline of 6th Street to the centerline of Commerce Street;

THENCE Northwesterly along the said centerline of Commerce Street to the centerline of the 8th Street;

THENCE Northeasterly along the said centerline of 8th street to the centerline of Calhoun Street; THENCE Northwesterly along the said centerline of Calhoun Street projected north to the centerline of the West Fork of the Trinity River;

THENCE Southeasterly along the said centerline of the West Fork of the Trinity River to the ***Point of Beginning***.

Southeast (N3)

A parcel of land out of the A. Robinson Survey, Abstract No. 1289 and the W. Russell, Abstract No. 151, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of Henderson Street and the centerline of the Clear Fork of the Trinity River;

THENCE Southeasterly along the said centerline of Henderson Street to its intersection with the centerline of Bluff Street;

THENCE Southwesterly along the said centerline of Bluff Street to its intersection with the centerline of Lexington Street North;

THENCE North 29 degrees 58 minutes 55 seconds West, along the centerline of Lexington Street North, 399.15 feet to a point;

THENCE south 59 degrees 20 minutes 26 seconds West 36.98 feet to a point;

THENCE North 85 degrees 07 minutes 25 seconds West 348.96 feet to a point;

THENCE North 29 degrees 52 minutes 13 seconds West 316.15 feet to a point on the centerline of the Clear Fork of the Trinity River;

THENCE Northeasterly along the said centerline of Clear Fork of the Trinity River to the ***Point of Beginning***.

N2 West (N2)

A parcel of land out of the W. Russell Survey, Abstract No. 151, the R. Crowley Survey, Abstract No. 313, the A. Gouehenant Survey, Abstract No. 582, the J. Baugh Survey, Abstract No. 115, and the F. Mulliken Survey, Abstract No. 1045, Tarrant County, Texas, being more particularly described by metes and bounds as follows.

BEGINNING at the intersection of the centerline of 7th Street and the centerline of Commerce Street;

THENCE Southwest along the said centerline of 7th Street to its intersection with the centerline of Street 10;

THENCE Southeast along the said centerline of Street 10 to its intersection with the centerline of 5th Street;

THENCE Southwest along the said centerline of 5th Street to its intersection with the centerline of Street 12;

THENCE Southeast along the said centerline of Street 12 to its intersection with the centerline of Canal "A";

THENCE Southwest along the said centerline of Canal "A" its intersection with the centerline of Street 13; THENCE

Southeast along the said centerline of Street 13 to its intersection of Clear Fork of the Trinity River;

THENCE upstream in a southwest direction along the said centerline of the Clear Fork of the Trinity River to its intersection with the said centerline of Canal "A";

THENCE Northwesterly along the said centerline of Canal "A" to its intersection with the centerline of Henderson Street;

THENCE Northwest along the said centerline of Henderson Street to its intersection with the centerline of the Trinity River by-pass channel;

THENCE North along the said centerline of the by-pass channel to its intersection with Calhoun Street projected North;

THENCE Southeast along the said projected centerline of Calhoun Street to its intersection with the centerline of 8th Street;

THENCE Southwest along the said centerline of 8th Street to its intersection with the centerline of Commerce Street;

THENCE Southeast along the said centerline of Commerce Street to the ***Point of Beginning***.

East (N2)

A parcel of land out of the A. Gouehenant Survey, Abstract No. 582, the M. Baugh Survey, Abstract No. 106 and the Felix G. Mulliken Survey, Abstract No. 1045, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING in the centerline Canal "B" at its intersection with the intersection of Commerce Street; THENCE Northwest along the said centerline of Commerce Street to its intersection with the centerline of 6th Street;
THENCE Northeast along the said centerline of 6th Street to its intersection with the centerline of Street 3;
THENCE Northwest along the said centerline of Street 3 to its intersection with the centerline of 7th Street;
THENCE Northeast with the said centerline of proposed 7th Street to its intersection with the centerline of the West Fork of the Trinity River;
THENCE Southerly and upstream with the said centerline of the West Fork of the Trinity River to its intersection with the projected centerline of Canal "B";
THENCE Westerly with the said centerline of Canal "B" to the ***Point of Beginning***.

South (N2)

A parcel of land out of the A. Robinson Survey, Abstract No. 1289, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of Henderson Street and the centerline of proposed Lexington Street North;

THENCE Easterly along the said centerline of Lexington Street 516.11 feet to a point;

THENCE South 20 degrees 59 minutes 49 seconds east 629.42 feet to a point;

THENCE South 30 degrees 20 minutes 09 seconds East 46.79 feet to a point;

THENCE South 58 degrees 46 minutes 38 seconds West 254.82 feet to the centerline of Henderson Street;

THENCE Northwesterly along the said centerline of Henderson Street to the ***Point of Beginning***.

Northeast (N2)

A parcel of land out of the Felix G. Mulliken Survey, Abstract No. 1045, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of the West Fork of the Trinity River and the south right-of-way line of Greer Street projected west;

THENCE easterly to and along the south right-of-way line of said Greer Street, to its intersection with the east property line of Lot 5 of S. Terrell Addition, being an addition to the City of Fort Worth according to the plat recorded in Volume 1624, Page 274 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), extended south;

THENCE Northerly to and along the east property line of the said Lot 5, to the northeast property corner of the said Lot 5;

THENCE Northerly to the southeast corner of the Baldemar Lane street right-of-way;

THENCE Northerly along the east right-of-way line of said Baldemar Lane and then along the south right-of-way line extended north to the southeast property corner of Lot 9-RB of North Park Business Center, being an addition to the City of Fort Worth according to the plat recorded in Volume 388-124, Page 77 of the (P.R.T.C.T.);

THENCE Northerly along the east property line of the said Lot 9-RB to a point on the north property line of Lot 2 of Holloway's Addition, being an addition to the City of Fort Worth according to the plat recorded in Volume 1530, Page 373 of the (D.R.T.C.T.);

THENCE Easterly along the north property line of the said Lot 2 to a point on the west right-of-way line of Samuels Avenue;

THENCE Northerly along the west right-of-way line of said Samuels Avenue to its intersection with the south right-of-way line of North Park Drive; Thence Westerly along the south right-of-way line of North Park Drive, to the northwest property corner of Lot 10-RA of the said North Park Business Center Addition, said point also being on the east right-of-way line of an existing 75 foot wide Texas Electric Service Co. right-of-way (T.E.S.Co. R.O.W.);

THENCE Southerly along the east right-of-way of the said (T.E.S.Co. R.O.W.) to the southwest property corner of the said Lot 10-RA;

THENCE Northwesterly to the southeast property corner of Lot 11-A of Northpark Business Center, being an addition to the City of Fort Worth according to the plat recorded in Volume 388-218, Page 37 of the P.R.T.C.T.;

THENCE Northerly along the west right-of-way line of said (T.E.S.Co. R.O.W.) to its intersection with the southwest right-of-way line of North Park Drive;

THENCE Northwesterly along the southwest right-of-way line of North Park Drive to the northwest property corner of Lot 11-B of the said Northpark Business Center Addition;

THENCE South 10 degrees 08 minutes West 1043 feet to a point in the centerline of the West Fork of the Trinity River;

THENCE Southeasterly along the said centerline of the West Fork of the Trinity River to the ***Point of Beginning***.

N1

A parcel of land in the A. Gouehenant Survey, Abstract No. 582, and the M. Baugh Survey, Abstract No. 106, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of North Main Street and the centerline of the West Fork of the Trinity River;
THENCE Northerly along the centerline of North Main Street to the centerline of the proposed Canal "B" as shown on the Trinity Uptown Zoning Map;
THENCE Easterly along the centerline of proposed Canal "B" to the centerline of the West fork of the Trinity River;
THENCE upstream along the centerline of the West Fork of the Trinity River in a southerly direction to the ***Point of Beginning***

LaGrave Field (LF)

A parcel of land out of the Felix G. Mulliken Survey, Abstract No. 1045, Tarrant County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of 7th Street and the centerline of proposed Canal "D";
THENCE Northeasterly along the said centerline of 7th Street to the centerline of Street 3;
THENCE Southeasterly along the said centerline of Street 3 to the centerline of 6th Street;
THENCE Southwesterly along the said centerline of 6th Street to the said centerline of proposed Canal "D";
Thence Northwesterly along the said centerline of Canal "D" to the ***Point of Beginning***.

Tarrant County College (TCCD)

A parcel of land out of the M. Baugh Survey, Abstract No. 106, Tarrant County, Texas, being more particularly described by metes and bounds as follows; BEGINNING at the intersection of the centerlines of Commerce Street and Weatherford Street; Thence Northeasterly with the centerline of Weatherford Street to its intersection with the centerline of Calhoun Street;

THENCE Northwesterly with the centerline of Calhoun Street to its intersection with the centerline of Belknap Street;
THENCE Northeasterly with the centerline of Belknap Street to its intersection with the centerline of Pecan Street;
THENCE Northwesterly with the centerline of Pecan Street to its intersection with the centerline of Bluff Street;
THENCE Southwesterly with the centerline of Bluff Street to its intersection with the extension of the southwest property line of Lot 4R, Block 1 of Trinity Bluff, being an addition to the City of Fort Worth according to the plat recorded in Cabinet B, Slide 3356 of the Plat Records of Tarrant County, Texas (P.R.T.C.T.);
THENCE Northwesterly with the extension of the said southwesterly property line to its intersection with the centerline of the West Fork of the Trinity River;
THENCE upstream along the centerline of the West Fork of the Trinity River in a Southerly direction to the centerline of North Main Street;
THENCE Southeasterly with the centerline of North Main Street to its intersection with East Bluff Street; THENCE Northwesterly with the centerline of E. Bluff Street to its intersection with Commerce Street;
THENCE Southeasterly with the centerline of Commerce Street to the ***Point of Beginning***. (Ord. No. 19268, Eff. 09/07/10)

Trinity Uptown ("TU") District	
Front Build-To Range*	80 percent of a building's front façade must be located within 10 feet of the property line.
Waterfront Build-To Range*	80 percent of a building's front façade must be located no closer than 5 feet and no farther than 15 feet from the property line.
Rear Yard*	5 feet minimum
Side Yard*	None required. If provided, must be minimum of three feet and maximum of 10 feet.
Units per Acre	No restriction
Units per Building	No restriction
Building Height Range**	<p>LaGrave Field Zone Minimum 16 feet; Maximum 72 feet</p> <p>Neighborhood Zones N-1 Minimum 3 floors; Maximum 72 feet</p> <p>Neighborhood Zones N-2 – North and South Minimum 3 floors; Maximum 96 feet</p> <p>Neighborhood Tower Zones N-3 – North, Central and South Minimum 6 floors; Maximum 288 feet</p> <p>Urban Lake Zone 1 Minimum 2 floors; Maximum 36 feet</p> <p>Urban Lake Zone 2 Minimum 3 floors; Maximum 72 feet</p> <p>Urban Lake Zone 3 Minimum 3 floors; Maximum 96 feet</p> <p>North Main Zone Minimum 3 floors; Maximum 96 feet</p> <p>Tarrant County College District Zone Minimum 3 floors; Maximum 72 feet</p>
Notes: *Additional setback standards and guidelines contained in "Trinity Uptown Development Standards and Guidelines." (Uses permitted in Peripheral Zones are tied to development standards in "TU" district)	
** See core zone boundary map in Appendix B.	

D. Other Development Standards

Development in the Trinity Uptown ("TU") District is subject to the development standards and guidelines contained in the "Trinity Uptown District Development Standards and Guidelines" document. Trinity Uptown District Development Standards and Guidelines are hereby approved by the City Council and are included in the zoning ordinance by reference. All future amendments to the Trinity Uptown District Development Standards must be considered by the Zoning Commission and approved by the City Council in accordance with the procedure set out in Article 5, Chapter 3. Metal Buildings. The exterior metal walls of the front and any sides of a building facing a public street shall not be constructed with exposed fasteners on more than fifty (50) percent of the building. All buildings with metal siding shall have at least two (2) exterior architectural features for articulation, such as front porches, gables, awning or other exterior siding materials. Exterior metal siding shall not be considered an architectural feature. These provisions shall not apply to large retail stores.

E. Development Review Process**1. Certificate of Appropriateness Required.**

Within the Trinity Uptown ("TU") District, issuance of a certificate of appropriateness reflecting compliance with the Trinity Uptown District Development Standards and Guidelines is required as outlined in 2 below.

2. Certificate of Appropriateness Required.

Within the Trinity Uptown District, issuance of a Certificate of appropriateness reflecting compliance the Trinity Uptown Development Standards and Guidelines is required as a condition of the following:

- A. Acceptance by the Planning & Development Department of an application for a building permit for construction of a new structure;
- B. Acceptance by the Planning & Development Department of an application for a building permit for expansion of an existing structure;
- C. Acceptance by the Planning & Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
- D. Construction of a surface parking lot.

3. Pre-design Conference.

A pre-design conference with the Planning & Development Department Director or a designee is required before an applicant makes application for a Certificate of Appropriateness. Two copies of a site plan containing the following information shall be submitted to the Planning and Development Director for discussion at the pre-design conference.

- a. Footprints of all existing structures.
- b. Proposed footprints of all new structures.
- c. Existing structures adjacent to the property.
- d. Existing and proposed floor plans (schematic drawings).
- e. Building setbacks.
- f. Location of parking areas.
- g. Location of landscape areas.
- h. Two copies of building elevations for all sides of the building(s).
- i. Photographs of the site and adjoining properties.

4. Application for Certificate of Appropriateness.

The following materials shall be submitted to the Planning & Development Department in connection with an application for a Certificate of Appropriateness. The materials must be submitted at least 21 days before the meeting of the Urban Design Commission at which the application for a Certificate of Appropriateness will be considered.

- a. Nine copies of site plan including:
 - i. Footprints of all existing structures.
 - ii. Proposed footprint of all new structures.
 - iii. Existing structures adjacent to the property.
 - iv. Building setbacks.
 - v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
- b. Nine copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
- c. Nine copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
- d. Nine copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material.
- e. Material specification outline with samples, brochures and/or photographs of all exterior and site materials, finishes and fixtures.

- f. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter-inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall be furnished. Any proposed illumination shall be indicated on the drawing.
- 5. **Authority to Approve Certificate of Appropriateness.** The Urban Design Commission is hereby charged with the duty and invested with the authority to:
 - a. Enforce the Trinity Uptown Development Standards and Guidelines for new construction and renovations by hearing and deciding applications for Certificates of Appropriateness in accordance with Section 4.1304, and;
 - b. Propose amendments to the Trinity Uptown Development Standards and Guidelines to the Zoning Commission and City Council from time to time.
- 6. Appeal.
 - a. Appeals Board.
 - i. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Urban Design Commission's decision. The written notice of appeal shall specify:
 - ii. That the decision of the board is unreasonable, either in whole or in part; and
 - iii. The grounds for the appeal.
 - b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The Secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeal Boards shall:
 - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the City staff and the Urban Design Commission;
 - ii. Hear new testimony and consider new evidence that was not available at the time of the hearing before the Urban Design Commission;
 - iii. Apply the substantial evidence test to the decision of the Urban Design Commission;
 - iv. Have to options to remand any case back to the Urban Design Commission for further proceedings.
 - c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.
 - d. A hearing before the Appeals Board shall exhaust the administrative remedies of the property owner/appellant under this title. Any owner/appellant aggrieved by the decision of the Appeals Board may file in District Court.
(Ord. No. 17273, Eff. 11/07/06; 18250, 09/02/08; 19268, 09/07/10; 20159, 05/15/12)

4.1305 Near Southside (NS) District

A. Purpose and Intent

It is the purpose of the Near Southside ("NS") District to provide a specific mixed-use development zone that encourages pedestrian-oriented, urban development on the Near Southside, and to provide development standards and administrative procedures that encourage high-quality, sustainable development and creative design.

B. Uses

In the Near Southside ("NS") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued, except in accordance with the use tables and supplemental standards contained in Section 6 of the document "Near Southside Development Standards and Guidelines," an adopted supplement to the City's Zoning Ordinance.

Near Southside ("NS") District		
Front Setback*	0 feet minimum, 20 feet maximum	
Rear Yard*	3 feet minimum	
Side Yard*	0 feet minimum	
Units per Acre	No restriction	
Units per Building	No restriction	
Minimum Heights	New facades along public streets and public places: 2 stories consisting of a minimum of 18 feet. New facades along public streets and public places: 15 feet for buildings < 4,000 square feet 18 feet for buildings ≥ 4,000 square feet Ground floors of multistory non-residential buildings: minimum 10 feet, floor to ceiling	
Maximum heights**	T4 and T4-N:	3 stories
	T4-I:	6 stories
	T5, T5-N	5 stories
	T5-I	10 stories
Maximum heights with a) mix of use, b) public space, and/or c) structured parking bonuses**	T4-N: a, b, or c	4 stories
	T4: a, b, or c	5 stories
	T4: a & b, a & c, or b & c	6 stories
	T5 and T5-N: a, b, or c	8 stories
	T5 and T5-N: a & b, a & c, or b & c	10 stories
Notes: *Additional setback standards and guidelines contained in "Near Southside Development Standards and Guidelines." ** See zone boundary map in Exhibit C. Height bonus and Fairmount transitional height plane provisions contained in "Near Southside Development Standards and Guidelines."		

(Ord. No. 21670; Eff. 03/24/15)

C. Property Development Standards

The minimum dimension of lots and yards and the height of buildings in the Near Southside ("NS") District, shall be as shown in the accompanying table and the document "Near Southside Development Standards and Guidelines."

The development standards may only be applied to that area known as the Near Southside District of Fort Worth boundary as described in Exhibits "A" through "C", attached hereto and incorporated by reference. (*Refer to Near Southside Development Standards and Guidelines*).

D. Other Development Standards

Development in the Near Southside ("NS") District is subject to the development standards and guidelines contained in the "Near Southside Development Standards and Guidelines" document. The Near Southside Development Standards and Guidelines attached hereto and approved by the City Council are included in the zoning ordinance by reference. All future amendments to the Near Southside Development Standards and Guidelines must be considered by the Urban Design Commission, the Zoning Commission and approved by the City Council in accordance with the procedure set out in Article 5, Chapter 3. Attachment A of Ordinance # 20985 Near Southside Development Guidelines and Standards: (Eff. 10/15/13)

E. Development Review Process

1. **Certificate of Appropriateness:** The Planning and Development Director or Urban Design Commission (UDC) will issue a Certificate of Appropriateness (COA) for approved public and private projects. In exceptional cases the UDC may approve a COA if a project is clearly consistent with applicable development principles but does not conform to a certain development standard(s) or guideline(s). The COA for such projects must describe the projects' compliance with applicable principles. Within the Near Southside ("NS") District, issuance of a certificate of appropriateness reflecting compliance with the Near Southside Development Standards and Guidelines is required as a condition for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
- c. Acceptance by the Planning and Development Department of an application for a building permit for exterior renovation, remodeling or other alteration of an existing structure; and
- d. Construction of a surface parking lot.
- e. Acceptance by the Planning and Development Department of an application for a sign permit.

2. **Application for Certificate of Appropriateness**

The following materials shall be submitted to the Planning and Development Department in connection with an application for a certificate of appropriateness. The materials must be submitted at least twenty-one days before the meeting of the UDC at which the application for a certificate of appropriateness will be considered. At the time application materials are submitted, the applicant shall receive a sign provided by the Planning and Development Department that shall be posted on the project site at street level in a location readily visible to the public no less than ten days prior to the meeting of the UDC.

- a. Copies of site plan including
 - i. Footprints of all existing structures
 - ii. Proposed footprint of all new structures
 - iii. Existing structures adjacent to the property
 - iv. Building setbacks
 - v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
- b. Copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
- c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
- d. Copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;
- e. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
- f. For all detached signs, site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.

3. **Authority to Approve Certificate of Appropriateness**

- a. The Planning and Development Director or designee is hereby charged with the duty and invested with the authority to approve a certificate of appropriateness for new construction and renovations when the project conforms to all standards and guidelines.
- b. The Urban Design Commission is hereby charged with the duty and invested with the authority to enforce the Near Southside Development Standards and Guidelines for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness in accordance with this section.

F. Appeals

1. All decisions by the Planning and Development Director may be appealed to the Urban Design Commission. A written notice of appeal must be filed with the Executive Secretary of the UDC within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review for an appeal before the UDC shall be *de novo*.
2. All decisions other than actions relating to designation by the UDC may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the UDC's decision. The written notice of appeal shall specify:
 - a. That the decision of the board is unreasonable, either in whole or in part; and
 - b. The grounds for the appeal.
3. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The Secretary of the UDC shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the UDC. In consideration of an appeal, the Appeals Board shall:
 - a. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the UDC;
 - b. Hear new testimony and consider new evidence that was not available at the time of the hearing before the UDC;
 - c. Apply the substantial evidence test to the decision of the UDC, considering the record made before the UDC;
 - d. Have the option to remand any case back to the UDC for further proceedings.
4. The Appeals Board may uphold, reverse or modify the decision of the UDC unless a continuance is agreed to by the owner/appellant.
5. A hearing before the Appeals Board shall exhaust the administrative remedies of the property owner/appellant under this title. Any owner/appellant aggrieved by the decision of the Appeals Board may file in District Court.
(Ord. No. 17871, Eff. 11/06/07; 18188, 07/25/08; 19514, 02/15/11; 20159, 05/15/12; 20555, 12/22/12; 20985, 10/15/13)

4.1306 Camp Bowie Overlay (“CB”) District

A. Purpose and Intent

It is the purpose of the Camp Bowie District to provide a more functional and attractive community through the use of recognized principles of urban design and allow property owners flexibility in land use. The design standards and guidelines and administrative procedures for new construction and certain renovations in the area prescribe a higher level of detail in building design and form.

B. Uses

In the Camp Bowie (“CB”) District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued except in accordance with the use tables and supplemental standards contained in Section 5 of the document “Camp Bowie Boulevard Revitalization Code,” an adopted supplement to the City’s Zoning Ordinance.

C. Property Development Standards

The minimum dimension of lots and yards and the height of buildings in the Camp Bowie (“CB”) District is listed below by Character zone and shall be as shown in the document “[Camp Bowie Boulevard Revitalization Code](#).” The Development Standards may only be applied to that area known as the Camp Bowie District of Fort Worth, boundary as described in Exhibits “A” and “B”, attached here to and incorporated by reference.

Highway Commercial Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street / Civic Space)	10’ minimum, 20’ maximum
Front (Boulevard/Local Street/ Highway)	10’ minimum, 40’ maximum
Side and Rear (from property line)	0’

Building Height:

6 stories maximum

Ridglea Gateway Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street / Civic Space)	10’ minimum, 20’ maximum
Front (Boulevard/Local Street)	10’ minimum, 30’ maximum
Side and Rear (from property line)	0’

Building Height:

5 stories maximum

Ridglea Urban Village Core North Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5’ minimum, 10’ maximum
Front (Boulevard and Local Streets)	10’ minimum, 75’ maximum
Side or Rear (distance from property line)	0’

Building Height:

3 stories maximum

Ridglea Urban Village Core South Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5’ minimum, 10’ maximum
Front (Boulevard and Local Streets)	10’ minimum, 75’ maximum
Side or Rear (distance from property line)	0’

Building Height:

10 stories maximum

General Corridor Mixed Use Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10’ minimum, 20’ maximum
Front (Boulevard and Local Streets)	10’ minimum, 75’ maximum

Side or Rear (distance from property line) 0'

Building Height:

6 stories maximum

Industrial Arts Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space) 10' minimum, 20' maximum

Front (Boulevard and Local Streets) 10' minimum, 30' maximum

Side or Rear (distance from property line) 0'

Building Height:

5 stories maximum

Western Business District Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space) 10' minimum, 20' maximum

Front (Boulevard and Local Streets) 10' minimum, 75' maximum

Side or Rear (distance from property line) 0'

Building Height:

5 stories maximum

Transition Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space) 5' minimum, 10' maximum

Front (Boulevard and Local Streets) 10' minimum, 30' maximum

Side or Rear (distance from property line) 0'

Building Height:

3 stories maximum

D. Other Development Standards

Development in the Camp Bowie ("CB") District is subject to the development standards and guidelines contained in the "Camp Bowie District Boulevard Revitalization Code" document, attached as Exhibit "C". The Camp Bowie District Boulevard Revitalization Code is hereby approved by the City Council and included in the zoning ordinance by reference. All future amendments to the Camp Bowie District Boulevard Revitalization Code must be considered by the Zoning Commission and approved by the City Council in accordance with the procedure set out in Article 5, Chapter 3.

E. Development Review Process

1. Certificate of Appropriateness required.

Within the Camp Bowie District, issuance of a certificate of appropriateness reflecting compliance the Camp Bowie Boulevard Revitalization Code is required as a condition for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
- c. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
- d. Construction of a surface parking lot.
- e. Acceptance by the Planning and Development Department of an application for a sign permit.

2. Application for Certificate of Appropriateness.

The following materials shall be submitted to the Planning and Development department in connection with an application for a certificate of appropriateness. The materials must be submitted at least twenty-one (21) days before the meeting of the design review board at which the application for a certificate of appropriateness will be considered. At the time application materials are submitted, the applicant shall receive a sign provided by the Planning and Development Department that shall be posted on the project site at street level in a location readily visible to the public no less than ten (10) days prior to the meeting of the UDC.

- a. Copies of site plan including:
 - i. Footprints of all existing structures.

- ii. Proposed footprint of all new structures.
- iii. Existing structures adjacent to the property.
- iv. Building setbacks.
- v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
- b. Copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
- c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
- d. Copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;
- e. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
- f. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter-inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.
- 3. **Authority to Approve Certificate of Appropriateness.**
 - a. The Planning and Development Director or designee is hereby charged with the Duty and invested with the authority to approve a certificate of appropriateness for new construction and renovations when the project conforms to all standards and guidelines of the Camp Bowie Boulevard Revitalization Code. The director may refer any case to the UDC for review.
 - b. The Urban Design Commission is hereby charged with and invested with the authority to enforce the Camp Bowie Boulevard Revitalization Code for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness with this section.

F. Appeal.

- 1. All decisions by the Planning and Development director may be appealed to the Urban Design Commission. A written notice of the appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review before the UDC shall be *de novo*.
 - 2. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Urban Design Commission's decision.
 - a. The written notice of appeal shall specify:
 - i. That the decision of the board is unreasonable, either in whole or in part; and
 - ii. The grounds for the appeal.
 - b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeals Board shall:
 - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Urban Design Commission;
 - ii. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
 - iii. Have the option to remand any case back to the Urban Design Commission for further proceedings.
 - c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.
- (Ord. No. 19936, Eff. 11/18/11; 20159, 05/15/12; 20157, 05/21/12)

4.1307 Trinity Lakes (TL) District

A. Purpose and Intent

It is the purpose of the [Trinity Lakes District](#) to provide a more functional and attractive community through the use of recognized principles of urban design and allow property owners flexibility in land use. The design standards and guidelines and administrative procedures for new construction and certain renovations in the area prescribe a higher level of detail in building design and form.

B. Uses

In the Trinity Lakes ("TL") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued except in accordance with the use tables and supplemental standards contained in the document "[Trinity Lakes Development Code](#)," an adopted supplement to the City's Zoning Ordinance.

C. Property Development Standards

The minimum dimension of lots and yards and the height of buildings in the Trinity Lakes ("TL") District are listed below by character zone and shall be as shown in the document "Trinity Lakes Development Code."

The Development Standards may only be applied to that area known as the Trinity Lakes District of Fort Worth, boundary as described in Exhibits "A" and "B", attached here to and incorporated by reference. (Ord. No. 20950, Eff. 10/04/13)

Boulevard Mixed Use Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Type "A" Street / Civic Space)	0' minimum, 10' maximum
Front (Boulevard / Type "B" Street)	10' minimum, 75' maximum
Side and Rear (from property line)	0'

Building Height:

3 stories maximum

Village Mixed Use Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Type "A" Street / Civic Space)	5' minimum, 10' maximum
Front (Boulevard/ Type "B" Street)	0' minimum, 75' maximum
Side and Rear (from property line)	0'

Building Height:

6 stories maximum

Highway Mixed Use Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Type "A" Street/ Civic Space)	5' minimum, 10' maximum
Front (Boulevard/ Type "B" Street)	0' minimum, 75' maximum
Side or Rear (from property line)	0'

Building Height:

6 stories maximum

Campus Commercial Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Type "A" Street/ Civic Space)	5' minimum, 10' maximum
Front (Boulevard/ Type "B" Street)	0' minimum, 10' maximum
Side or Rear (from property line)	0'

Building Height:

15 stories maximum

Transition ZoneSetbacks (dependent on Street Classification in Regulating Plan):

Front (Type "A" Street/ Civic Space)	5' minimum, 20' maximum
Front (Boulevard/ Type "B" Street)	0' minimum, 30' maximum
Side or Rear (from property line)	0'

Building Height:

3 stories maximum

Neighborhood ZoneSetbacks (dependent on Street Classification in Regulating Plan):

Front (Type "A" Street/ Civic Space)	0' minimum, 20' maximum
Front (Boulevard/ Type "B" Street)	0' minimum, 30' maximum
Side or Rear (from property line)	0'

Building Height:

3 stories maximum

D. Other Development Standards

Development in the Trinity Lakes ("TL") District is subject to the development standards and guidelines contained in the "Trinity Lakes Development Code" document amended as set out in Exhibit "A", attached and hereby incorporated into the Zoning Ordinance by reference, in various sections of the Trinity Lakes Development Code to update and amend the Regulating Plan, add manor home and development regulations, add regulations for sustainable energy equipment, amend non-residential parking requirements, and amend floor to ceiling heights requirements, which will provide clarity and flexibility for the property owners in the Trinity Lakes District. A copy of the Trinity Lakes Development Code is on file in the City Secretary's Office. (Ord. No. 21671, Eff. 03/24/15)

E. Development Review Process**1. Certificate of Appropriateness required.**

Within the Trinity Lakes District, issuance of a certificate of appropriateness reflecting compliance the Trinity Lakes Development Code is required as a condition for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
- c. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
- d. Construction of a surface parking lot.
- e. Acceptance by the Planning and Development Department of an application for a sign permit.

2. Application for Certificate of Appropriateness.

The following materials shall be submitted to the Planning and Development department in connection with an application for a certificate of appropriateness. The materials must be submitted at least twenty-one (21) days before the meeting of the design review board at which the application for a certificate of appropriateness will be considered.

- a. Copies of site plan including:
 - i. Footprints of all existing structures.
 - ii. Proposed footprint of all new structures.
 - iii. Existing structures adjacent to the property.
 - iv. Building setbacks.
 - v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
- b. Copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.

- c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
 - d. Copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;
 - e. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
 - f. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter-inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.
3. **Authority to Approve Certificate of Appropriateness.**
- a. The Planning and Development Director or designee is hereby charged with the Duty and invested with the authority to approve a certificate of appropriateness for new construction and renovations when the project conforms to all standards and guidelines of the Trinity Lakes Development Code. The director may refer any case to the UDC for review.
 - b. The Urban Design Commission is hereby charged with and invested with the authority to enforce the Trinity Lakes Development Code for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness with this section.

F. Appeal.

- 1. All decisions by the Planning and Development director may be appealed to the Urban Design Commission. A written notice of the appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review before the UDC shall be *de novo*.
- 2. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Urban Design Commission's decision. The written notice of appeal shall specify:
 - i. That the decision of the board is unreasonable, either in whole or in part; and
 - ii. The grounds for the appeal.
- b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeals Board shall:
 - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Urban Design Commission;
 - ii. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
 - iii. Have the option to remand any case back to the Urban Design Commission for further proceedings.
- c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.

(Ord. No. 20511, Eff. 12/11/12; Ord. No. 20950, Eff. 10/08/13; Ord. No. 21359, Eff. 08/12/14; Ord. No. 21671, Eff. 03/24/15)